

And find it correctly enrolled, and have this day, at 3:30 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,
Austin, Texas, March 7, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 3, providing for the publication of the Manual of the Thirty-second Legislature.

And find it correctly enrolled, and have this day, at 3:30 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

THIRTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, March 8, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
Meachum.	Weinert.
McNealus.	Willacy.
Murray.	

Prayer by Rev. Dr. Bradfield of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

There being no morning business, the morning call was declared concluded.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Meachum:

Whereas, The last Democratic convention demanded the passage by the Thirty-second Legislature of the following measures:

1. The submission of an amendment to the Constitution of Texas, separating the University of Texas and the Agricultural and Mechanical College; and that "provision for a liberal and independent income for the State institutions of higher learning should be made"; and which latter demand, properly construed, means that the Democratic party demanded, that along with the amendment providing for the separation of the two leading institutions of learning, should be included a proposition clearly authorizing the Legislature, by express warrant in the Constitution, to levy a tax which will afford "a liberal and independent income" for the support of all of the "State institutions of higher learning"; and

2. To bring about the proper administration of the penitentiary system of this State, that a bill be passed to revise the new prison law so as to eliminate the requirement therein of unusual expenditures, or to provide the means to carry the law into full effect; and

Whereas, In order to properly provide for the support and maintenance of the State government and its various institutions, it is compulsory upon the Thirty-second Legislature to pass the appropriation bill, as well as a bill to fix the rate of taxation for the next two years; and

Whereas, It is essential, in order to provide proper text books and reasonable cost for the school children of Texas, that a new text book law be adopted; and

Whereas, The Constitution provides that the "Legislature shall, at its first session after the publication of each United States decennial census, apportion the State into Senatorial and Representative districts"; therefore, be it

Resolved, by the Senate of Texas, "That from and after the adoption of this resolution, consideration of all other measures be suspended until each and all of the subjects hereinbefore mentioned shall be disposed of by the Senate, and that

sine die adjournment of this session be deferred until same have been considered and disposed of."

MEACHUM,
WATSON.

The above resolution was read, and Senator Cofer made the point of order that the resolution provided for a change of the rules.

The Chair overruled the point of order.

Senator Meachum moved the adoption of the resolution.

(Senator Real in the chair.)

Pending discussion, Senator Vaughan offered the following substitute for the resolution:

I offer the following substitute for the resolution offered by the Senator from Grimes:

Whereas, The present Governor of Texas was nominated and elected upon a donothing platform euphoniouly called political peace and legislative rest; and

Whereas, The supporters of the Governor in the Legislature have by tactics they have pursued consumed the time of the present session and prevented the passage of good and wholesome laws upon various subjects, that they might carry out the administration policy of doing nothing except everything possible to prevent the accomplishment of temperance legislation, restricting the evils of the liquor traffic to the minimum; and

Whereas, A large part of our time has been consumed in changing our rules so that some legislation could be accomplished, and still more of our time has been consumed by the friends of the administration in trying to again change the rules so as to place us where no legislation could be accomplished, except such as the friends of the administration desired; and

Whereas, Divers and sundry political resolutions have been introduced by the friends of the Governor for the purpose of dividing and distracting the friends of temperance legislation and by means of these things, our time and opportunity to pass laws for our constituents, has been taken up by the friends of the administration in preventing legislation for the people, and what little legislation we have accomplished has

been over great difficulties; therefore be it

Resolved, by the Senate, That it ill becomes the Governor of Texas to ask anything at the hands of this Legislature, more especially does it ill become him after frittering away our time by his political plays and those of his friends, to ask us to stay here and pass measures for his relief or to promote the success of his political fortunes;

Resolved further, That if we had the spirit our fathers had we would not take up or consider any bill for the support of the Governor or his departments until his friends cease their tactics here and we are given an opportunity to enact the legislation demanded by our constituents and pass such laws as are necessary to remedy the ills we suffer from.

Resolved further, That it has been a principle upon which English men have acted "the time whereof the memory of man runneth not to the contrary" to refuse to vote any taxes or appropriation to the support of the government until the government gives them the relief they ask through their representatives.

The above substitute was read, and

Senator Vaughan moved to refer the substitute resolution and the resolution to the Committee on Constitutional Amendments, and on that motion moved the previous question. The motion for the previous question was seconded.

(Lieutenant Governor Davidson in the chair.)

The previous question having been seconded, action recurred on the previous question and the same was ordered by the following vote:

Yeas—16.

Bryan.	McNealus.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Warren.

Nays—14.

Adams.	Hudspeth.
Astin.	Hume.

Kauffman.	Terrell, McLennan
Meachum.	Ward.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.

Present—Not voting.

Real.

Senator Cofer here called up, as a privilege matter, and which the Chair held was a privilege matter, House Concurrent Resolution No. 27, "Be it resolved, By the House of Representatives, the Senate concurring, that the regular session of the Thirty-second Legislature shall stand adjourned sine die at 12 o'clock noon, Monday, March 11, 1911."

The resolution was laid before the Senate, and was read.

The committee report, which provided that the resolution be not printed, was adopted by the following vote:

Yeas—17.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Warren.
McNealus.	

Nays—13.

Adams.	Paulus.
Astin.	Terrell, McLennan.
Hudspeth.	Ward.
Hume.	Watson.
Kauffman.	Weinert.
Meachum.	Willacy.
Murray.	

Present—Not voting.

Peeler.

The resolution was then adopted by the following vote:

Yeas—17.

Bryan.	Mayfield.
Carter.	McNealus.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Johnson.	Sturgeon.
Lattimore.	Terrell, Wise.

Townsend.	Warren.
Vaughan.	

Nays—13.

Adams.	Paulus.
Astin.	Terrell, McLennan.
Hudspeth.	Ward.
Hume.	Watson.
Kauffman.	Weinert.
Meachum.	Willacy.
Murray.	

Present—Not Voting.

Peeler.

Senator Cofer moved to reconsider the vote by which the resolution was adopted, and lay that motion on the table.

The motion to table prevailed by the following vote:

Yeas—18.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

Nays—12

Adams.	Murray.
Astin.	Paulus.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Meachum.	Willacy.

Present—Not Voting.

Peeler.

Action then recurred on the pending motion to refer the simple resolution by Senator Meachum, et al., and the substitute therefor to the Committee on Constitutional Amendments.

The same was lost by the following vote:

Yeas, 15.

Bryan.	Johnson.
Carter.	Lattimore.
Cofer.	Mayfield.
Collins.	McNealus.
Greer.	Perkins.

Sturgeon.
Terrell, Wise.
Townsend.

Vaughan.
Warren.

Nays—15.

Adams.
Astin.
Hudspeth.
Hume.
Kauffman.
Meachum.
Murray.
Paulus.

Peeler.
Real.
Terrell, McLennan.
Ward.
Watson.
Weinert.
Willacy.

Absent.

Ratliff.

The vote being a tie, Lieutenant Governor Davidson, who was presiding, voted "nay" and declared the motion lost.

Action recurred on the resolution and substitute, and Senator Lattimore moved to refer the resolution to the Committee on Commerce and Manufacture.

Senator Vaughan moved, as a substitute, that the resolution and substitute be referred to Committee on Engrossed Bills, and on that motion moved the previous question, which motion, being duly seconded, was so ordered by the following vote:

Yeas—16.

Bryan.
Carter.
Cofer.
Collins.
Greer.
Johnson.
Lattimore.
Mayfield.

McNealus.
Perkins.
Sturgeon.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.

Nays—14.

Adams.
Astin.
Hudspeth.
Hume.
Kauffman.
Meachum.
Murray.

Paulus.
Peeler.
Real.
Terrell, McLennan.
Watson.
Weinert.
Willacy.

Absent.

Ratliff.

The motion to refer the resolution and the substitute therefor to the Committee on Engrossed Bills was lost by the following vote:

Yeas—15.

Bryan.
Carter.
Cofer.
Collins.
Greer.
Johnson.
Lattimore.
Mayfield.

McNealus.
Perkins.
Sturgeon.
Terrell, Wise.
Townsend.
Vaughan.
Ward.

Nays—15.

Adams.
Astin.
Hudspeth.
Hume.
Kauffman.
Meachum.
Murray.
Paulus.

Peeler.
Real.
Terrell, McLennan.
Warren.
Watson.
Weinert.
Willacy.

Absent.

Ratliff.

The vote being a tie, Lieutenant Governor Davidson, who was presiding, voted "nay," and declared the motion lost.

Pending discussion, action recurred on the motion to refer the resolution to the Committee on Commerce and Manufacture, and the same was adopted by the following vote:

Yeas—17.

Bryan.
Carter.
Cofer.
Collins.
Greer.
Johnson.
Lattimore.
Mayfield.
McNealus.

Perkins.
Ratliff.
Sturgeon.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.

Nays—14.

Adams.
Astin.
Hudspeth.
Hume.
Kauffman.
Meachum.
Murray.

Paulus.
Peeler.
Real.
Terrell, McLennan.
Watson.
Weinert.
Willacy.

The resolutions were so referred.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Greer:

Senate bill No. 364, A bill to be en-

titled "An Act to create a more efficient road system for Camp county, Texas, and defining the powers and duties of the commissioners court of said county relative to roads and bridges of said county, and making county commissioners of said county ex officio road commissioners of their respective precincts and prescribing their duties and compensation as road commissioners; and providing for the amount of compensation in road time to be allowed by overseers to road hands for teams and road work; and providing conditionally for the employment of a consulting engineer; and providing for the laying out, opening, widening, draining, grading, constructing, building, repair and maintenance of public roads of said county, and for the classification and abandonment thereof; and providing for the condemnation of lands and material for use in opening, constructing, repairing and maintaining such public roads; and authorizing said court to direct the opening up of, and to open up drains along railways in said county, and directing the application of the road and bridge fund of said county, and of proceeds of sale of bonds of said county issued for road and bridge purposes, and providing for the use, management and control of county convicts of said county; and providing for the letting of contracts and purchase of supplies in certain cases; and providing for the issuance and sale of bonds of said county, or any road district thereof that may hereafter be created, for the purpose of building, constructing, improving, repairing and maintaining roads and bridges of a permanent nature; authorizing the commissioners court of said Camp county to create road districts which may or may not include towns, villages or municipal corporations, or portions thereof, within such districts; to build, construct and maintain macadamized, graveled, paved and clayed roads and streets; to issue bonds in payment therefor; to provide for the elections for the voting of such bonds; the levying and collection of taxes for the purpose of their discharge and cancellation; and requiring the county treasurer of said county to keep a separate account of the sale of such bonds and limiting his duties in the disbursement thereof, and prescribing penalties and providing punishment for violations of this Act; and providing for the application of fines

for such violations, and all moneys collected on contracts under this Act to the road and bridge fund of said county, and declaring this Act cumulative of General and Special Laws, except in case of conflict, when this Act shall control; and repealing all laws and parts of laws in conflict with this Act; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Sturgeon:

Senate bill No. 365, A bill to be entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Paris, and to grant it a new charter; to define its powers and to prescribe its duties and liabilities; and to declare an emergency,' which became a law on the 15th day of March, 1905, by amending Sections 46, 76 and 116, of said Act, and by adding to said Act, Sections 2a and 2b, and by repealing all laws and parts of laws in conflict with the added Sections, and the amended Sections as amended, and to declare an emergency."

Read first time and referred to Committee on Towns and City Corporations.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on Senate bill No. 163, by the following vote, yeas 108, nays 2.

Adopted the Free Conference Committee report on House bill No. 401, by the following vote, yeas 104, nays 0.

Concurs in Senate amendments to House bill No. 119, by the following vote, yeas 104, nays 2.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

RECESS.

Senator Watson, at 12:30 o'clock p. m., moved that the Senate recess until 3 o'clock today.

The motion was adopted by the following vote:

Yeas—15.

Adams.	Peeler.
Astin.	Perkins.
Hudspeth.	Real.
Hume.	Terrell, McLennan.
Kauffman.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—15.

Bryan.	McNealus.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	

Absent.

Ratliff.

The vote being a tie, Lieutenant Governor Davidson, who was presiding, voted "yea," and declared the Senate recessed until 3 o'clock today.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

HOUSE BILL NO. 221.

House bill No. 221, being the pending business from last Wednesday (House bill day) the Chair laid before the Senate on second reading.

House bill No. 221, A bill to be entitled "An Act to authorize and empower the Commissioner of Agriculture of the State of Texas to employ a civil engineer, having a practical knowledge of conservation of moisture and soil fertility, who understands the practical art of terracing farm lands to prevent the washing away and the destruction of the properties of the soil, to instruct the farmers by practical demonstrations in terracing, providing an appropriation therefor, and declaring an emergency."

There was an amendment and substitute therefor pending, (See Journal of March 1 for same).

MESSAGE FROM THE GOVERNOR.

Executive Office,
State of Texas.

Austin, Texas, March 8, 1911.
To the Senate:

I respectfully ask the advice and consent of the Senate to the appointment as notaries public of the persons whose names appear in the attached list in and for the counties of:

Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bastrop, Bee, Baylor, Bell, Blanco, Borden, Bosque, Bowie, Brazoria, Brazos, Brewster, Briscoe, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Chambers, Cherokee, Childress, Clay, Coke, Coleman, Collins, Colorado, Collinsworth, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crockett, Crosby, El Paso, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dewitt, Dickens, Dimmitt, Donley, Duval, Eastland, Ector, Edwards, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Glasscock, Goliad, Gonzales, Gray, Grayson, Gregg, Grimes, Guadalupe.

Respectfully,
O. B. COLQUITT,
Governor of Texas.

See Appendix in tomorrow's Journal for the Notaries provided for.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on House bill No. 291.

Concur in Senate amendments to House bill No. 514, by the following vote, yeas 95, nays 0.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

SENATE BILL NO. 363.

(By Unanimous Consent.)

Senator McNealus called up Senate bill No. 363, and moved that the Senate rule requiring committee reports to lie over for one day be suspended for the purpose of considering this bill (see Appendix for committee report, which motion prevailed by the following vote:

Yeas—25.

Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Paulus.	

Present—Not Voting.

Adams.

Absent.

Hume.	Real.
Kauffman.	Ward.
Murray.	

On motion of Senator McNealus, the committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

Senate bill No. 363, A bill to be entitled "An Act to amend an Act entitled 'An Act to grant a new charter to the city of Dallas, Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' adopted by the Thirtieth Legislature of Texas, and approved April 13, 1907, by amending Section 2 of Article 1 thereof, Subdivision 5 of Section 2, of Article 11 thereof, Section 1 of Article 10 thereof, Subdivision of Section 1, of Article 10 thereof and by adding thereto Subdivision "T" to Section 1 of Article 10. Also amending Article 14, Section 2; also amending Article 2, by adding Section 9; also amending Article 5 and adding thereto Section 8; also amending Article 8, and Article 3, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Adams.	Bryan.
Astin.	Carter.

Cofer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan.
Johnson.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.
Perkins.	

Absent.

Hume.

Kauffman.

The bill was read third time and passed by the following vote:

Yeas—29.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Hume.

Kauffman.

Senator McNealus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 583, A bill to be entitled "An Act to reorganize the Fortieth Judicial District and the Sixty-second Judicial District of the State of Texas; to fix the time of holding the terms of court in said districts, to transfer Rockwall

county from the Fortieth District to the Sixty-second district, and declaring an emergency."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 583, refererd to Committee on Judicial Districts.

SENATE BILL NO. 346.

(By Unanimous Consent.)

Senator McNealus called up Senate bill No. 346, and moved that the Senate rule requiring committee reports to lie over for one day be suspended, for the purpose of considering this bill (see Appendix for committee report), which motion prevailed by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hume.	Real.
Kauffman.	

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, on second reading,

Senate bill No. 346, A bill to be entitled "An Act creating the Garland Independent School District in Dallas county, Texas, so as to include the territory situated within the bounds of the town of Garland in the county of Dallas and State of Texas, and other lands and territory adjacent thereto; providing for the election of a board of trustees to manage

and control the public free schools within said district and for the continuance in office of certain trustees until said election; investing the said district with all the powers, rights and duties of independent school districts conferred by General Laws upon incorporations incorporated for free school purposes only, empowering the said district to take over all school money belonging to and all free school properties situated within said district, imposing upon it the discharge of the obligations of said territory for school purposes, prescribing limitations, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Hume.	Real.
Kauffman.	Terrell, McLennan.

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Cofer.	Peeler.
Collins.	Perkins.
Greer.	Ratliff.
Hudspeth.	Sturgeon.
Johnson.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.

Ward.
Warren.
Watson.

Weinert.
Willacy.

Absent.

Hume.
Kauffman.

Real.
Terrell, McLennan.

Senator McNealus moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 300.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 300, A bill to be entitled "An Act to amend Sections 4, 5, 6, 7, 8, 9, 10 and 11 of Chapter 144 of the General Laws of the Thirtieth Legislature, entitled 'An Act to preserve and protect the wild game, wild birds and wild fowls of the State, to provide adequate penalties for the violation of this Act, and the unlawful taking, slaughter, sale, purchase or shipment thereof,' and to repeal all laws and parts of laws in conflict herewith, so as to repeal the provisions in said sections imposing a jail sentence for violations of this Act."

Bill read second time, and ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Johnson.
Lattimore.
Mayfield.
McNealus.
Meachum.
Murray.
Paulus.

Peeler.
Perkins.
Ratliff.
Real.
Sturgeon.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.
Willacy.

Absent.

Astin.

Hume.

Kauffman.

Terrell, McLennan.

The bill was read third time and passed by the following vote:

Yeas—28.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Johnson.
Lattimore.
Mayfield.
McNealus.
Meachum.
Murray.

Paulus.
Peeler.
Perkins.
Ratliff.
Real.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Warren.
Watson.
Weinert.
Willacy.

Absent.

Hume.
Kauffman.

Ward.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 348.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of the fish and oysters within tide water limits along the Gulf Coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State, and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells, that may be in or upon the bottoms of any lake, bay and shallow water, and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays, and the shells, marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from

the sale of said shells, marl and sand, shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency."

The bill was read, and Senator Murray offered the following amendment, which was read and adopted:

Amend the bill by adding just before the words "Fish and Oyster Commissioner" wherever they occur the word "Game."

Bill read second time, and ordered engrossed.

On motion of Senator Murray the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hume.	Real.
Kauffman.	

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	Lattimore.
Astin.	Mayfield.
Bryan.	McNealus.
Carter.	Meachum.
Cofer.	Murray.
Collins.	Paulus.
Greer.	Peeler.
Hudspeth.	Perkins.
Johnson.	Ratliff.

60-8.

Sturgeon.	Ward.
Terrell, McLennan.	Watson.
Terrell, Wise.	Weinert.
Townsend.	Willacy.
Vaughan.	

Absent.

Hume.	Real.
Kauffman.	Warren.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 237.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

Senate bill No. 237, A bill to be entitled "An Act to amend Section 6 of Chapter 164, General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature, and approved May 1, 1905, as amended by Senate bill No. 61, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, and approved February 2, 1911, relating to a system of State, county and city depositories for State, county and city funds, and defining the duties of the State Treasurer as to the acceptance of county, municipal and independent school district bonds as collateral security for deposits made with such depositories, repealing all laws in conflict therewith, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Vaughan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Lattimore.
Astin.	Mayfield.
Bryan.	Meachum.
Carter.	Murray.
Cofer.	Paulus.
Collins.	Peeler.
Greer.	Perkins.
Hudspeth.	Ratliff.
Johnson.	Sturgeon.

Terrell, Wise.
Townsend.
Vaughan.

Ward.
Watson.
Weinert.

Absent.

Hume.
Kauffman.
McNealus.
Real.

Terrell, McLennan.
Warren.
Willacy.

The bill was read third time and passed by the following vote:

Yeas—25.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Johnson.
Lattimore.
Mayfield.
McNealus.
Meachum.

Murray.
Paulus.
Peeler.
Perkins.
Ratliff.
Sturgeon.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Watson.
Weinert.

Absent.

Hume.
Kauffman.
Real.

Terrell, McLennan.
Warren.
Willacy.

Senator Vaughan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

MESSAGES FROM THE GOVERNOR.

Executive Office,
State of Texas.

Austin, Texas, March 8, 1911.
To the Senate:

I respectfully ask the advice and consent of the Senate to the appointment as Notary Public of the persons named in the attached list in and for the counties of Travis, Williamson, Burnet, Lampasas.

Respectfully,
O. B. COLQUITT,
Governor of Texas.

(See Journal Appendix of tomorrow for notaries.)

Executive Office,
State of Texas.

Governor's Office,
Austin, Texas, March 8, 1911.

To the Senate:

The advice and the consent of the Senate is respectfully asked to the appointment as Notary Public of the persons named in the attached list in and for the following counties:

Hall, Hamilton, Hardin, Hardeman, Hartley, Hemphill, Hidalgo, Hopkins, Howard, Hutchinson, Hale, Hansford, Harrison, Haskell, Hays, Henderson, Hood, Houston, Hunt, Harris, Irion, Jack, Jasper, Jones, Jackson, Jeff Davis, Jefferson, Karnes, Kent, Kinney, Kaufman, King, Knox, Lamar, Lampasas, Lavaca, Leon, Limestone, Live Oak, Loving, Lynn, Lamb, La Salle, Lee, Liberty, Lipscomb, Llano, Lubbock, McLennan, McCulloch, Milam, Motley, Moore, Oldham, Ochiltree, Parker, Potter, Panola, Palmer, Randall, Roberts, Rusk, Shelby, Sherman, Somervell, Swisher, Tarrant, Throckmorton, Wheeler, Wichita, Wilbarger, Young.

Respectfully,
O. B. COLQUITT,
Governor of Texas.

(See Journal Appendix of tomorrow for notaries.)

Executive Office,
State of Texas.

Governor's Office,
Austin, Texas, March 8, 1911.

To the Senate:

Senate Concurrent Resolution No. 5, "Providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission, making an appropriation to carry same into effect, and declaring an emergency," is herewith returned without approval, for the reason that a resolution practically identical, embraced in House Concurrent Resolution No. 8, has already been passed by the Legislature, and I see no necessity for the approval of two resolutions on identically the same subject, one originating in the House and the other originating in the Senate.

Respectfully,
O. B. COLQUITT,
Governor of Texas.

**FREE CONFERENCE COMMITTEE
REPORT.**

By Senator Townsend:

Austin, Texas, March 7, 1911.

Hon A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed on the part of the House and Senate to adjust the difference between the two houses on House bill No. 291, have had the same under consideration, and we recommend

1. That the House concur in Senate amendments, and we recommend further, that the following amendments be adopted:

Amend House bill No. 291, by inserting after the word "Colorado," in Section 4, the following: "Provided that the county of Madison shall be exempt from the provisions of Section 3, of this Act in so far as it applies to the waters of the Trinity and Navasota rivers, and Bédias creek."

MEACHUM,
ASTIN,
TERRELL of Wise,
VAUGHAN,
GREER,

On the part of the Senate.

BROWNLEE,
TERRELL of Cherokee,
FANT,
BONNER,
BAKER of Panola,
On the part of the House.

The above report was read and adopted.

**HOUSE CONCURRENT RESOLUTION
NO. 31.**

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

House Concurrent Resolution No. 31, "Resolved by the House of Representatives, the Senate concurring, That the Superintendent of Public Buildings and Grounds is hereby authorized and empowered to lease, subject to the approval of the Governor, any lots, parts of lots or land belonging to the State situated in the city of Austin. Said lease contract shall be in writing, and for a term not exceeding five years, but

may be re-elected at any time, and the said Superintendent of Public Buildings and Grounds is hereby authorized and empowered to sell sand and gravel to be removed from said lands and lots, including the deposits of sand and gravel in the bed of the Colorado river and on the islands of said river, within the corporate limits of the city of Austin.

The resolution was read third time and passed.

HOUSE BILL NO. 221.

Action recurred on House bill No. 221, the question being on the adoption of the substitute for the pending amendment.

Senator Meachum moved to table the substitute, which motion to table prevailed by the following vote:

Yeas—16.

Adams.	Murray.
Astin.	Paulus.
Cofer.	Peeler.
Greer.	Real.
Hudspeth.	Ward.
Johnson.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Nays—9.

Bryan.	Terrell, Wise.
Carter.	Townsend.
Collins.	Vaughan.
Lattimore.	Warren.
Sturgeon.	

Absent.

Kauffman.	Ratliff.
Perkins.	Terrell, McLennan.

PAIRED.

Senator Mayfield (present), who would vote "nay," with Senator Hume (absent), who would vote "yea."

The amendment was then adopted. Senator Astin offered the following amendment, which was read and adopted:

Amend the bill by striking out the words "Commissioner of Agriculture" wherever it appears and insert in lieu thereof the following: "Board of Directors of the Agricultural and Mechanical College."

Library and Historical
Commission
Austin, Texas

(President Pro Tem. Hudspeth in the chair.)

Bill read second time, and passed to third reading.

On motion of Senator Astin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—30.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hume.

The bill was read third time and passed.

Senator Astin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

FREE CONFERENCE COMMITTEE REPORT.

By Senator Kauffman:

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed on the part of the House and Senate, to whom was referred House bill No. 401, relating to the creation of a county court-at-law for Galveston county, have had the same under consideration and we recommend:

First. That the Senate and House do not accept the amendment made to said bill by the Senate.

Second. That said bill be amended as follows:

1. Amend the caption by adding after the word "thereof," line 2, the following: "Providing for a judge and

clerk thereof, the appointment and election of said judge, the appointment of jury commissioners, fixing the salary and fees of the judge and clerk of said court, and the seal to be used by said court; providing a prosecuting attorney for said court and the fees to be received by him; and for the transfer of cases to said court.

2. Amend Section 2, by striking out the word "all," line 2, and by striking out the words "Court of said county," and inserting the following: "Courts of this State."

3. Insert before the word "heretofore," line 7, Section 2, the words "in misdemeanor cases," and insert after the word "Court," line 7, Section 2, the words "of said county."

4. Amend Section 3, line 8, by adding after the word "this" the word "Act," and strike out the word "hereinbefore," line 3.

5. Amend Section 9, by adding after the word "law," line 2, the following: "The county clerk shall have authority to appoint a suitable person special deputy for said court to be paid a salary by the county of Galveston, not to exceed the sum of one hundred dollars per month; and said county clerk shall be entitled to the same fees for criminal cases in said court as is now or hereafter fixed by law for criminal cases in county courts of this State."

Amend Section 9, by adding after the word "county," line 7, "or the constable for the justices' precinct in which is located the county seat of said county."

Amend Section 9, by adding after the word "the roof," line 9, of the following: "and shall receive the same fees allowed by law for attending the county court."

6. Amend Section 12, line 3, by adding after the word "judges," the following: "in misdemeanor cases."

Amend Section 12, line 5, by striking out the words "two thousand," and inserting the words "twenty-one hundred."

Your committee recommends that said bill as amended by the foregoing do pass.

KUFFMAN,
WATSON,
RATLIFF,
COLLINS,
ASTIN,

On the part of the Senate.

CAMPBELL.
CURETON.
SINGLETON.
WOOD.
SCHLUTER.

On the part of the House.

The above report was read and adopted by the following vote:

Yeas—30.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hume.

SENATE BILL NO. 265—REFUSE TO TAKE UP.

Senator Johnson asked unanimous consent to take up a bill and there was objection. Senator Adams also asked unanimous consent to take up a bill and there was objection.

Senator Adams moved that the regular order of business (House bill No. 226) be suspended, and the Senate take up, out of its order, Senate bill No. 265.

The motion was lost by the following vote, a four-fifths vote being necessary:

Yeas—15.

Adams.	Perkins.
Astin.	Real.
Hudspeth.	Terrell, McLennan
Johnson.	Ward.
Kauffman.	Watson.
Murray.	Weinert.
Paulus.	Willacy.
Peeler.	

Nays—11.

Bryan.	Cofer.
Carter.	Collins.

Greer.
Lattimore.
Mayfield.
McNealus.

Sturgeon.
Townsend.
Vaughan.

Present—Not Voting.

Ratliff.

Absent.

Meachum.

Terrell, Wise.

PAIRED.

Senator Warren (present), who would vote "nay" with Senator Hume (absent), who would vote "yea."

HOUSE BILL NO. 226.

The Chair laid before the Senate on third reading

House bill No. 226, a bill to be entitled "An Act appropriating the sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary, for the enforcement of any and all laws and for the purpose of paying any and all necessary expenses in bringing and prosecuting any and all suits; and for the employment of special counsel and paying the expenses in collecting evidence; and providing that such appropriation shall be expended under the direction of the Attorney General; and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—17.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	

Nays—12.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Kauffman.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

PAIRED.

Senator Warren (present), who

would vote "yea" with Senator Hume (absent), who would vote "nay."

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 232.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

Senate bill No. 232, A bill to be entitled "An Act to amend Article 941, as amended by the Act of April 30, 1901, of the Revised Civil Statutes of Texas, defining the original and appellate jurisdiction of the Supreme Court, and to provide for disposition of the causes now pending therein, and declaring an emergency."

(Senator Watson in the chair.)

The bill was read and Senator Johnson offered the following amendment, the reading of which was dispensed with, by motion:

Amend the bill by striking out all after the word "Texas" in line 12, page 1, and inserting in place thereof the following:

Section 1. That Articles 940, 941, 943, as amended by this Act, approved April 30, 1901, and Articles 946, 996, 1040 and 1041 of the Revised Civil Statutes of said State be so amended as hereafter to read as follows:

Article 940. The Supreme Court shall have appellate jurisdiction co-extensive with the limits of the State which shall extend to questions of law arising in civil causes in the Courts of Civil Appeals in the following cases when same have been brought to the Courts of Civil Appeals by writ of error, or appeal, from final judgments of the trial courts.

(1) Those in which the judges of the Courts of Civil Appeals may disagree upon any question of law material to the decision.

(2) Those in which one of the Courts of Civil Appeals holds differently from a prior decision of its own or of another Court of Civil Appeals or of the Supreme Court.

(3) Those involving the validity of statutes.

(4) Those involving the revenue laws of the State.

(5) Those in which, by proper application for writ of error, it is made to appear that the Court of Civil Appeals has, in the opinion of the Supreme Court, erroneously declared the law of the State in such way as materially to injure its jurisprudence, in which case the Supreme Court may, in its discretion, take jurisdiction for the purpose of correcting such error.

The jurisdiction defined in this article shall constitute the whole of the appellate jurisdiction conferred on the Supreme Court and shall exist without regard to the character of the action or the amount or value of the matter in controversy, and whatever may be the character of the judgment rendered by the Court of Civil Appeals.

Article 941. All causes mentioned in Article 940 may be carried to the Supreme Court, either by writ of error or by certificate, from the Court of Civil Appeals, as elsewhere provided, except those mentioned in subdivision 5, which must be presented by application for writ of error.

Article 943. If upon inspection of the petition for writ of error and the record of the cause, it shall appear that a Court of Civil Appeals has failed to file conclusions of fact, or has not complied with the requirements of the law in filing such conclusions, and that such conclusions are necessary to enable the Supreme Court properly to determine the rights of the parties, the Court may suspend action on the petition for writ of error and return the record to the Court of Civil Appeals, with instructions to make and return conclusions of fact upon the points indicated by the Supreme Court. If upon examination of the petition for writ of error the Supreme Court shall find the case to be one of which it may take jurisdiction and that there is such a difference of opinion among the judges of the Court from which the cause shall come, or such a difference between the decision brought in question and a decision of another Court as is specified in Article 940, or that the question involving the validity of a statute was erroneously decided, or that, in a case involving the revenue laws of the State, any question of law material to its correct decision was erroneously decided, the Court shall grant the writ for the purpose of de-

ciding the question as to which the difference exists, or of correcting the erroneous decision and rendering the judgment in which a correct decision thereof shall result.

Article 943. The Supreme Court, or any justice thereof, shall have power to issue writs of habeas corpus as may be prescribed by law; and the said court, or the justices thereof, may issue writs of mandamus, proce-dendo, certiorari and all writs necessary to enforce the jurisdiction of said court; and said court may issue writs of quo warranto or mandamus agreeably to the principles of law regulating such writs against any district judge, or Court of Civil Appeals or judge of a Court of Civil Appeals or officer of the State government, except the Governor of the State.

Article 996. The appellate jurisdiction of the Courts of Civil Appeals shall extend to civil cases within the limits of their respective districts:

(1) Of which the district courts have original or appellate jurisdiction; but where the district court has jurisdiction of appeals from justices' courts, the appellate jurisdiction of the Court of Civil Appeals shall be subject to the same limitations as exist with reference to cases appealed from justices' to county courts.

(2) Of which the county court has original jurisdiction.

(3) Of which the county court has appellate jurisdiction when the judgment or amount in controversy or the judgment rendered shall exceed one hundred dollars exclusive of interest and costs. The judgments of the Courts of Civil Appeals shall be conclusive on the facts of the case in all cases and conclusive on both law and fact in all cases, except those in which appellate jurisdiction is given to the Supreme Court.

Article 1040. When the Court of Civil Appeals shall have finally decided any cause wherein the judges disagree upon a question of law material to a decision of the cause, or wherein the court may differ from another of the courts specified in Article 940 in its decision of any such question of law, or wherein the validity of a statute is involved, or wherein the revenue laws of the State are involved, such court may certify to the Supreme Court the question upon which its judges differ or the question upon which the decision of the court differs from that of such other court, or the question or questions as

to the validity of the statute or the very question or questions on which the decision of the cause wherein such revenue laws are involved depends, to the Supreme Court for decision.

Article 1041. The court shall clearly and succinctly state in the certificate the question or questions for decision accompanied by findings of fact and other matters from the record sufficient to show how such question arose and how it affects the decision of the cause, and shall cause such certificate to be authenticated by the Chief Justice, or in case of his failure or refusal for any cause to act, by the two associate justices, and cause the same to be sent up to the Clerk of the Supreme Court, with copies of briefs on file and of the motion for rehearing if there be one. And the Supreme Court may order the entire record to be sent up if deemed advisable and allow amendments to be made to the certificate by the Court of Civil Appeals at any time before the submission of the cause in the Supreme Court. And said court shall, if the certificate be found sufficient to present the question, order the cause to be set down for argument and proper notice to be given.

Sec. 2. Be it further enacted, that Articles 1029c and 1029d added to the Revised Statutes by the Act of May 9, 1899, Laws of the Twenty-sixth Legislature, page 170, and Article 1043 be, and the same are, hereby repealed.

Sec. 3. Be it further enacted that the jurisdiction of the Supreme Court over all causes pending therein when this Act takes effect, whether on application for writs of error or otherwise, shall continue as it was before, and such causes shall proceed and be disposed of in accordance with the practice and procedure prevailing before the taking effect of this Act.

Senator Townsend offered the following amendment to the amendment:

Amend the bill on page 2, and after the word "error," on line 5, the following:

6. Where the State is a party or where the Railroad Commissioners are parties.

FREE CONFERENCE COMMITTEE REPORT.

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate and Hon. Sam Rayburn,

Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred House bill No. 88, A bill to be entitled "An Act to provide for the location, establishment, maintenance of four tent-house colonies for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor, defining a citizen as used in this Act, and declaring an emergency."

Beg leave to report that the House accepts the Senate amendments to said bill, and we further amend said House bill No. 88, by striking out the words "four tent-house" in line 22 of the caption of the printed bill and insert in lieu thereof the word "two." We further amend the bill by striking out, in Section 7, line 27, page 2, of the printed bill, the words "sixty tent-house."

TERELL of McLennan,
WILLACY,
VAUGHAN,
WARREN,

On the part of the Senate.

PORTER,
GROSS,
WORTHAM,
BROWN,
WHITE,

On the part of the House.

The above report was read and adopted.

A SIMPLE RESOLUTION.

By Senator Paulus, (by unanimous consent):

Whereas, The Constitution of the State of Texas, Article 3, Sections 25, 26 and 28, which said articles read as follows to wit:

Section 25. The State shall be divided into Senatorial districts of contiguous territory according to the number of qualified electors, as nearly as may be, and each district shall be entitled to elect one Senator, and no single county shall be entitled to more than one Senator.

Section 26. The members of the House of Representatives shall be apportioned among the several counties, according to the number of population in each, as nearly as may be, on a ratio obtained by dividing the population of the State, as ascertained by the most recent United States census,

by the number of members of which the House is composed; provided, that whenever a single county has sufficient population to be entitled to a representative, such county shall be formed into a separate representative district, and when the two or more counties are required to make up the ratio of representation, such counties shall be contiguous to each other; and when any one county has more than sufficient population to be entitled to one or more Representatives, such Representative or Representatives shall be apportioned to such county, and for any surplus of population it may be joined in a Representative district with any other contiguous county or counties.

Section 28. The Legislature shall at its first session after the publication of each United States decennial census, apportion the State into Senatorial and Representative districts, agreeably to the provisions of Sections 25 and 26 of this Article; and until the next decennial census, when the first appointment shall be made by the Legislature, the State shall be and is hereby divided into Senatorial and Representative districts as provided by an ordinance of the convention on that subject.

And, Whereas, The Constitution of the State of Texas makes it mandatory upon this Legislature at this time, to re-district the State of Texas into Senatorial and Representative districts, and

Whereas, In obedience to the plain and unequivocal requirements of said sections of the Constitution the Senator from Lee did on February 27 introduce a bill in this Senate, the same being Senate bill No. 324, being entitled "An Act apportioning the State of Texas into Senatorial Districts and declaring what counties shall constitute each Senatorial district," and the said bill was by the presiding officer of this body referred to the Committee on Senatorial Districts, and,

Whereas, Said committee has since that date failed to meet, consider or act upon such bill until this day at which time at a full meeting of said committee, the further consideration of said bill was postponed until Friday, March 10, 1911, and,

Whereas, Such postponement within the knowledge of each member of this Senate can result in nothing save the defeat of said bill and utter reck-

less disregard of the provisions of the Constitution above quoted, and,

Whereas, I believe that we owe it not only to ourselves, but to the people of Texas, that an honest effort should be made to re-district this State in accordance with the commands of the Constitution, therefore, be it

Resolved, By this Senate that the said committee on Senatorial re-districting be and are hereby directed to immediately report said bill back to this Senate.

WATSON,
WEINERT.

Action recurred on the above resolution.

Senator Mayfield moved that the resolution be referred to Committee on Senatorial Districts.

Senator Murray made the point of order that the resolution could not be referred to that committee.

Senator Sturgeon moved to table the resolution, which motion to table was adopted by the following vote:

Yeas—17.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

Nays—13.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Real.
Hume.	Terrell, McLennan.
Kauffman.	Watson.
Meachum.	Weinert.
Murray.	

Absent.

Willacy.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 299, A bill to be en-

titled "An Act to validate the incorporation of Ferris Independent School District in Ellis county, as incorporated by Chapter 54 of the Special Acts of the Thirty-first Legislature, approved March 16, 1909, and the acts of the board of trustees and other officers of said district since such incorporation, and to declare said district possessed of all the powers sought to be conferred on it by such Act of incorporation and other laws, and to declare an emergency."

Senate bill No. 295, A bill to be entitled "An Act creating the Pleasant Grove Independent School District in Wood county, Texas, and defining its boundaries, etc., and declaring an emergency," with amendments.

House bill No. 379, A bill to be entitled "An Act to amend Chapter 42 of An Act of the Twenty-ninth Legislature entitled 'An Act to prohibit the granting or use for railway or other purpose of any part of the tract of land in the city and county of Galveston, Texas, acquired by that county or the commissioners court thereof for sea wall purposes, by adding thereto Section 1a, authorizing and empowering Galveston county or the commissioners' court of said county to convey or lease to the board of regents of the University of Texas on behalf of the State of Texas for hospital purposes in connection with the John Sealy hospital all or any part of the tract of land acquired under said Act, which lies to the north and north-westward of Avenue B in said city, and declaring an emergency."

House bill No. 539, A bill to be entitled "An Act to amend Section 7 of Chapter — of the Local and Special Laws of the Twenty-ninth Legislature, providing for a special road law for Hunt county and declaring an emergency."

House bill No. 542, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the various counties comprising the Thirty-eighth Judicial District of the State of Texas, and to repeal all laws in conflict therewith."

House bill No. 520, A bill to be entitled "An Act to amend Section 2 of Chapter 30, of the Special Laws of the Thirty-first Legislature, being 'An Act to create a road commission for Jones, Haskell and Taylor counties,' so as to increase the compensation allowed to county commissioners when acting as road commissioners."

House bill No. 571, A bill to be en-

titled "An Act to incorporate the city of San Antonio, and to repeal an Act of the Legislature of the State of Texas, approved August 13, 1870, entitled An Act to incorporate the city of San Antonio, and granting a new charter to said city, and to repeal an Act entitled An Act to incorporate the city of San Antonio, approved July 17, 1856, and An Act entitled An Act to amend An Act to incorporate the city of San Antonio, approved February 11, 1860, and also to repeal all the Acts amendatory of said Act, approved August 13, 1870, and declaring an emergency, being Chapter 44 of the Special Laws of the Twenty-eighth Legislature and the Amendatory Act being Chapter — of the Special Laws of the State of Texas, passed by the Thirtieth Legislature, being entitled An Act to amend An Act to incorporate the city of San Antonio, and to repeal an Act of the Legislature of the State of Texas, approved August 13, 1870, entitled An Act to incorporate the city of San Antonio and grant a new charter to said city, and to repeal an Act entitled An Act to incorporate the city of San Antonio, approved July 17, 1856, An Act entitled An Act to amend An Act to incorporate the city of San Antonio, approved February 11, 1860, and also to repeal all Acts amendatory of said Act approved August 13, 1870, and declaring an emergency, passed by the Twenty-eighth Legislature, being Chapter 44, of the Special Laws thereof, by amending Section 1, 9, 17, 33, 46, 52, 53, 56, 90, 97, 108 and 124, and repealing Sections 34a thereof, and to repeal all laws or parts of laws in conflict herewith, and declaring an emergency, by amending Sections 1, 18, 30, 46, 66, 91, 99 and 106 and adding Section 106a, and declaring an emergency."

House bill No. 560, A bill to be entitled "An Act to authorize the board of commissioners of the city of Galveston to create and establish a pension fund for certain firemen in the city of Galveston, and their widows and dependent children, under the age of fourteen years, and to authorize said board to pass such ordinances as it may deem necessary and proper for that purpose; to appoint a board of trustees to manage and distribute said funds and to adopt such rules and regulations as may be proper for the purpose."

House bill No. 414, A bill to be entitled "An Act to change and pre-

scribe the time for holding District Court in the Thirty-first Judicial District of this State, to conform all writs and process from such courts to such changes, and to repeal all laws in conflict herewith."

House bill No. 550, A bill to be entitled "An Act creating the Richards Independent School District, in Grimes county, Texas, defining its metes and bounds, providing for a board of trustees thereof, vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

House bill No. 552, A bill to be entitled "An Act creating a more efficient road law for Mason county, Texas, and to provide for the appointment of a superintendent of public roads and bridges for Mason county, and to provide his qualifications, terms of office and salary, defining his duties and powers, and providing for punishments for violation of his duties, providing certain duties and powers of the commissioners court of said county, providing for the appointment of overseers and defining their duties and providing for and fixing their compensation for certain labor, giving persons subject to road duty in Mason county and persons summoned to work the road in said county the right to be relieved from the discharge of such duty upon the payment of specific money herein stipulated, and providing for the accounting of and the disposition to be made of the money so paid, limiting the purpose for which road and bridge funds shall be used, authorizing and providing for the working of county convicts upon the public roads and providing for the payment of officers' fees; providing that delinquent poll tax payers shall be subject to three days' road duty; requiring the tax collector of Mason county to furnish to the commissioners court a list of all persons who failed to pay their poll tax; providing for the condemnation of any lands needed for the widening and straightening, changing or draining of the public roads; providing for the taking of timber, gravel, stone or other material for the making or improving of public roads and bridges; providing the method in which payments shall be made for road work in Mason county; providing penalties for the violation of the provisions of this Act;

providing that this Act be cumulative of the General Law, but it shall control in Mason county in all cases wherein it conflicts with the General Law on the subject of roads and bridges, and declaring an emergency."

House bill No. 572, A bill to be entitled "An Act to validate and confirm the acts of incorporation of the town of Kosse, in Limestone county, Texas, its boundaries, all ordinances enacted and acts done by the town council thereof, and in accordance with the provisions of Chapter 11, Title 18, of the Revised Statutes of the State of Texas, and all acts amendatory thereof; to declare that this Act shall be admitted as evidence in all courts as proof of the fact and legality of such incorporation, and declaring an emergency."

House bill No. 570, A bill to be entitled "An Act creating the La Grange Independent School District in Fayette county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the city of La Grange of the control of its public free schools and the title to all property now held for public school purposes; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, and declaring an emergency."

House bill No. 575 A bill to be entitled "An Act to create the Gause Independent School District in Milam county, Texas, defining its metes and bounds, vesting it with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, and declaring an emergency."

House bill No. 586, A bill to be entitled "An Act to amend Section 2, Chapter 77, Special Laws of the Regular Session of the Thirtieth Legislature, so as to regulate the pay of the road commissioner of Gillespie county."

House bill No. 573, A bill to be entitled "An Act to incorporate the Mineola Independent School District in Wood county, Texas, for free school purposes only, defining its boundaries, and providing for a board of trustees; divesting the city of Mineola of the control of its public schools, and a title to school property, and vesting the same in said Mineola Independent

School District and its board," with engrossed rider.

House bill No. 555, A bill to be entitled "An Act to amend Section 11, of Chapter 6, of the Special Laws of the First Called Session of the Twenty-eighth Legislature, 1903, creating a special road system for Hunt county, Texas, and declaring an emergency."

House bill No. 546, A bill to be entitled "An Act to amend Chapter 55, Sections 2, 13 and 16 of the Acts of the Twenty-ninth Legislature, creating a more efficient road system for San Saba county, Texas, increasing compensation for teams and drivers, for road hands, and for road commissioners, and declaring an emergency."

House bill No. 545, A bill to be entitled "An Act to amend Section 76 of the Special Road Laws of Rusk county, Texas, as enacted by the Thirtieth Legislature of Texas, 1909, by amending Section 28, pertaining to the time and pay of county commissioners when supervising roads and adding thereto Section 28a, pertaining to the obstruction of public roads and ditches."

House bill No. 549, A bill to be entitled "An Act to create the Plantersville Independent School District in Grimes county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

House bill No. 559, A bill to be entitled "An Act to amend Chapter 35 of the Acts of the Regular Session of the Thirty-first Legislature, which Chapter is entitled 'An Act to fix the time of holding courts in the Forty-sixth Judicial District, so amending said chapter as to declare what counties shall compose the Forty-sixth Judicial District; to fix the time of holding court in the various counties issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of court as herein fixed; to repeal all laws in conflict herewith, and declaring an emergency."

House bill No. 568, A bill to be entitled "An Act to amend Chapter 19 on the Special Laws of the Regular Session of the Twenty-eighth Legislature, 1903, providing for a more effective and efficient road system for the county of Jack, by adding Section

4a thereto, providing for the payment of money in lieu of road work, regulating the same, and declaring an emergency."

House bill No. 585, A bill to be entitled "An Act to create the Briggs Independent School District in Burnet county, Texas, defining its metes and bounds, providing for a board of trustees, vesting it with the rights and duties of districts incorporated for school purposes only, under the General Laws, and declaring an emergency."

Senate bill No. 81, A bill to be entitled "An Act to provide means for securing fair elections and true returns thereof whenever an election is held at which any proposed amendment or amendments to the Constitution of this State shall be voted upon; to provide for the appointment of additional judges, clerks and supervisors for such elections; for the filing of reports of such supervisors; giving such additional judges, clerks and supervisors the power and authority now given by law to the regularly appointed election officers; and providing that the vote of any voting precinct of any county wherein the regularly appointed election officers shall have refused to comply with the provisions of this Act, shall not be counted as to or in the determination of the adoption or rejection of such Constitutional amendment; providing for securing the making of true returns by the managers and officers of such election to the proper officers; providing penalties for the violations of this Act by any officer; and requiring the officers upon whom the duty is imposed by law of making returns of such election from any county to the Secretary of State to make true returns thereof, and providing penalties for a failure to do so on the part of any such officer, and providing a means whereby the result of any election upon the adoption or rejection of any such proposed amendment to the Constitution may be contested, giving the district court of Travis county jurisdiction of such contest and full authority to appoint commissioners to sit at such times and places as they may appoint anywhere in the State to hear testimony, to reduce same to writing and return same to such court and determine all questions necessary to the ascertainment of the true result of any such election in any precinct, and in any county, and in the State, and to compel the making of

true returns of such elections by the officers of such elections to the proper authorities of the county and by the proper officers of the various counties to the Secretary of State to canvass and count the returns of such elections after such contest is determined, in accordance with the final determination of the result of such election as ascertained and determined by the court in such contest, providing penalties, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

RECESS.

On motion of Senator Sturgeon, the Senate, at 6:30 o'clock p. m., recessed until 8:30 o'clock tonight.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

BILLS ON FIRST READING.

By unanimous consent after conclusion of the morning call.

By Senator Terrell of McLennan:

Senate bill No. 366, A bill to be entitled "An Act to amend Section 4 of an Act entitled 'An Act to incorporate the city of Waco and to define its boundaries and powers,' passed by the Twenty-first Legislature and approved February 19th, 1889."

Read first time and referred to Committee on Towns and City Corporations.

SENATE BILL NO. 295—HOUSE AMENDMENTS CONCURRED IN.

Senator Greer called up,

Senate bill No. 295, A bill to be entitled "An Act creating the Pleasant Grove Independent School District in Wood county, Texas, and defining its boundaries, etc., and declaring an emergency," with the following House amendments:

Amend Senate bill No. 295 by striking out in Section 2, lines 6 and 7, the words "to the northwest corner of the A. Flores survey; thence east 962 varas to the," occurring after the word "survey" in line 6,

and before the word "northeast" in line 7, and substituting therefor the following:

"1280 varas to the northwest corner of W. D. Hinson's 25 acre tract; thence east with the north boundary line of said Hinson's tract 241 1-2 varas to said Hinson's Northeast corner; thence South 584 1-3 varas with said Hinson's East Boundary line to a point in the north boundary line of the A. Flores survey 241 1-2 varas east of the northwest corner of same for said Hinson's southeast corner; thence east with the north boundary line of said Flores survey 720 1-2 varas to the."

Senator Greer moved that the Senate concur in the House amendments, which motion to concur prevailed by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Hume.	Real.
Mayfield.	Ward.

Senator Greer moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives
Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 40, A bill to be entitled "An Act to amend Chapter 4, Acts of the Twenty-eighth Legislature, First Called Session, entitled 'An Act to amend Articles 877

Chapter 2, Title 25, Revised Statutes of the State of Texas of 1895, authorizing the commissioners' court of the counties of this State to issue bonds for the purpose of improving and maintaining the public roads in their respective counties,' so that said Article 877 shall authorize and empower the commissioners' court of any county in this State to issue bonds for the establishment of county poor houses and farms; and creating an emergency."

Senate bill No. 249, A bill to be entitled "An Act conferring upon the Board of Prison Commissioners authority to issue paroles to meritorious convicts, and to make and establish rules and regulations to carry the same into effect, and declaring an emergency," with amendments.

House bill No. 525. A bill to be entitled "An Act to create a special road law and more efficient road system for Falls county, Texas, and conferring certain powers and authority on the commissioners court of said county with reference thereto, and declaring an emergency." with engrossed rider.

House bill No. 2, A bill to be entitled "An Act to amend Section 1 of Chapter 57 of the Acts of the Thirtieth Legislature entitled, "An Act to amend Sections 1, 12 and Section 20 of Chapter 128 of the Acts of the Twenty-sixth Legislature, entitled An Act providing the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties, or in any subdivision of the said counties, so that when an election under said law shall be in favor of the stock law, that the certificate thereto shall be prima facie evidence of a compliance with the law to put same in force; also to provide for the punishment of any one violating the provisions of said act and adding thereto Section 20a and Section 20b, and declaring an emergency," so as to place Brewster county under the provision of said Chapter, and declaring an emergency."

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives..

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their

captions had been read, the following bills:

House bill No. 379, referred to Committee on Public Lands and Land office.

House bill No. 539, referred to Committee on Roads, Bridges and Ferries.

House bill No. 542, referred to Committee on Judicial Districts.

House bill No. 520, referred to Committee on Roads, Bridges and Ferries.

House bill No. 414, referred to Committee on Judicial districts.

House bill No. 550, referred to Committee on Educational affairs.

House bill No. 552, referred to Committee on Roads, Bridges and Ferries.

House bill No. 555, referred to Committee on Roads, Bridges and Ferries.

House bill No. 546, referred to Committee on Roads, Bridges and Ferries.

House bill No. 545, referred to Committee on Roads, Bridges and Ferries.

House bill No. 549, referred to Committee on Educational Affairs.

House bill No. 559, referred to Committee on Judicial Districts.

House bill No. 568, referred to Committee on Roads, Bridges and Ferries.

House bill No. 585, referred to Committee on Educational Affairs.

House bill No. 571, referred to Committee on Towns and City Corporations.

House bill No. 560, referred to Committee on Towns and City Corporations.

House bill No. 572, referred to Committee on Towns and City Corporations.

House bill No. 570, referred to Committee on Educational Affairs.

House bill No. 575, referred to Committee on Educational Affairs.

House bill No. 586, referred to Committee on Judiciary Committee No. 1.

House bill No. 573, referred to Committee on Educational Affairs.

House bill No. 2, referred to Committee on Stock and Stock Raising.

House bill No. 525, referred to Committee on Roads, Bridges and Ferries.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

Whereas, Hon. D. F. Goss of Baylor county, who was for ten years an honored and able member of this body, is in the Capitol, therefore be it

Resolved, That he be invited to address the Senate and that the privileges of the floor of the Senate be extended to him.

TERRELL of Wise.
JOHNSON.

The resolution was read and adopted.

The Chair appointed Senators Terrell of Wise, Johnson and Bryan as a committee to escort ex-Senator Goss to the President's stand. Ex-Senator Goss addressed the Senate briefly.

HOUSE CONCURRENT RESOLUTION NO. 38.

(By Unanimous Consent.)

On motion of Senator Perkins, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this resolution (see Appendix for committee report), by the following vote:

Yeas—26.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Kauuffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Meachum.	Watson.
Murray.	Willacy.

Present—Not Voting.

McNealus.	Weinert.
-----------	----------

Absent.

Hume.	Real.
Johnson.	

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, House Concurrent Resolution No. 38, rescinding the action of the House on House Concurrent Resolution No. 33.

The resolution was read and adopted.

FREE CONFERENCE COMMITTEE.

By Senator Sturgeon:

I move that the Senate do not concur in House Amendments to Senate bill No. 249, and that Senators Weinert, Hudspeth, Paulus, Collins and Carter be appointed as members of a Free Conference Committee on part of Senate.

The motion was read and adopted.

HOUSE BILL NO. 325.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 325, A bill to be entitled "An Act to make an appropriation for one clerk for the Commissioner of Pensions for the fiscal year ending August 31st, 1911, and declaring an emergency."

The bill was read, and Senator Watson offered the following amendment, which was read and adopted:

Amend the bill line 21, page 1, by striking out the words and figures seven hundred dollars (\$700.00) and insert in lieu thereof (\$875.00) eight hundred and seventy-five dollars.

WATSON,
CARTER.

The bill was read second time and passed to a third reading by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—1.

Greer.

Absent.

Hume. Warren.
Terrell, McLennan

On motion of Senator Carter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Paulus.	

Nays—1.

Greer.

Absent.

Hume. Warren.
Murray.

The bill was read third time and passed by the following vote:

Yeas—26.

Adams.	Peeler.
Astin.	Ratliff.
Bryan.	Real.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Paulus.	Willacy.

Nays—1.

Greer.

Absent.

Hume.
Kauffman.Murray.
Perkins.

Senator Carter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 285.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading

Senate bill No. 285, A bill to be entitled "An Act providing that the State Board of Embalming shall make annual reports to the State Health Officer and shall pay a certain portion of all fees collected by it into the State Treasury."

The bill was read third time and passed by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—1.

Lattimore.

Present—Not Voting.

Real.

Absent.

Greer.

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 146.

(District No. 13.)

Senator Townsend called up House bill No. 146, and there was objection by Senator Hudspeth, and

Senator Townsend moved that the regular order of business be suspended, and the Senate take up House bill No. 146.

The motion was lost by the following vote, a two-thirds vote being necessary:

Yeas—16.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.

Nays—14.

Adams.	Murray.
Astin.	Paulus.
Hudspeth.	Peeler.
Hume.	Real.
Kauffman.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Present—Not Voting.

Perkins.

SIXTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for a Free Conference Committee on Senate bill No. 249. The following have been appointed on the part of the House: Messrs. Wortham, Watson, Stone, Donegan and Gilmore.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 27.

(District No. 14, by Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 27, A bill to be en-

titled "An Act to protect material-men, artisans, mechanics, and laborers for material furnished, or labor performed on any buildings, improvements, fixtures, or articles on which they have furnished any material or performed any labor, and requiring any owner or original contractor on such buildings, improvements, fixtures or articles whatsoever, to see that all material furnished and labor performed on any such buildings, improvements, fixtures or articles have been fully paid for at a just and reasonable valuation, before such contractor shall receive his pay for performing any services under the terms of his contract, and giving a first lien to material-men, artisans, mechanics and laborers, against such buildings, improvements, fixtures or articles for which they have furnished material, or upon which they have performed labor, and fixing the time and prescribing the method for filing liens, and repealing all laws in conflict herewith."

The bill was read and action recurred on the committee report which recommended a substitute bill, and

Senator Collins moved to adopt the committee report.

Senator Kauffman moved, as a substitute, to table the committee report, which motion to table was lost by the following vote:

Yeas—12.

Adams.	Perkins.
Astin.	Ratliff.
Hudspeth.	Real.
Hume.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.

Nays—15.

Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Warren.
McNealus.	

Absent.

Mayfield.	Terrell, McLennan.
Meachum.	Ward.

Action recurred on the adoption of the committee report and the same was adopted by the following vote:

a—8.

Yeas—16.

Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
McNealus.	Warren.

Nays—11.

Adams.	Perkins.
Astin.	Real.
Hudspeth.	Watson.
Hume.	Weinert.
Kauffman.	Willacy.
Murray.	

Absent.

Mayfield.	Terrell, McLennan.
Meachum.	Ward.

Senator Lattimore offered the following amendment:

Amend substituted bill, Section 1, by inserting in line 9, page 5, of printed substitute bill, by inserting after the word "performed" the following "said lien being superior to all liens except contract liens then on file in the office of the county clerk of the county where such property is located."

The amendment was read and adopted by the following vote:

Yeas—27.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Meachum.	

Nays—2.

Hume.	Peeler.
-------	---------

Present—Not Voting.

Terrell, McLennan, Vaughan.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed substitute bill, page 5, line 19, by striking out the words "any part" and inserting in lieu thereof the words "all."

Senator Hume offered an amendment striking out the enacting clause, and the same was laid on the table subject to further amendments.

Senator Ratliff offered the following amendment:

Amend the bill by striking out all of lines 5, 6, 7 and 8, down to and including the word "articles" in line 8 all on page 5 of committee substitute.

The amendment was read and lost.

Senator Collins offered the following amendment:

Amend the substitute bill as follows:

By adding after the word "holder," in line 25, page 6, the following: "Or if not convenient for such lien holder to go before said clerk, any other officer authorized to administer oaths shall be authorized to prepare such lien, and to take the affidavit thereto, for which service a fee of \$1.00 may be charged."

The amendment was read and lost.

Senator Cofer offered the following amendment:

Amend Section 4 by adding at end thereof, on page 6, the following:

"Or the lien holder, if he desires, may have said lien prepared and make affidavit to same before some officer authorized to administer oaths, and the county clerk in such case shall record the same and be entitled to the fees authorized by law for recording."

The amendment was read and adopted by the following vote:

Yeas—15.

Bryan.	Meachum.
Cofer.	Peeler.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

Nays—14.

Astin.	Murray.
Carter.	Paulus.
Hudspeth.	Perkins.
Hume.	Ratliff.
Kauffman.	Real.

Sturgeon.
Watson.

Weinert.
Willacy.

Absent.

Adams.

Terrell, McLennan.

Senator Collins offered the following amendment:

Amend the substitute as follows: By inserting after the words "holder" in line 21, page 6, the following: "giving a description of the property against which said lien is claimed."

The amendment was read and adopted by the following vote: ,

Yeas—24.

Adams.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Johnson.
Kauffman.
Lattimore.
Mayfield.
McNealus.

Meachum.
Murray.
Paulus.
Peeler.
Perkins.
Ratliff.
Real.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.

Nays—6.

Astin.
Hume.
Sturgeon.

Watson.
Weinert.
Willacy.

Present—Not Voting.

Terrell, McLennan.

Senator Collins offered the following amendment, which was read and adopted:

Amend as follows: by adding the words "buildings" in line 25, on page 4 of the substitute printed bill, the following words: "Improvements, fixtures or articles."

Senator Collins offered the following amendment, which was read and adopted:

Amend the caption substitute bill as follows: after the word "herewith" in line 23, page 1, add the following: "and declaring an emergency."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill by adding Section 8 as follows:

Sec. 8. There now being no adequate law protecting material-men,

artisans, mechanics, and laborers, and owing to the crowded condition of the calendar and the lateness of the season, creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Action recurred on the following amendment by Senator Hume:

Hoping some day to build a home, I move to strike out the enacting clause.

The amendment was lost by the following vote:

Yeas—14.

Adams.	Peeler.
Astin.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, McLennan.
Kauffman.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Nays—15.

Bryan.	McNealus.
Carter.	Meachum.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	

Present—Not Voting.

Perkins.

Absent.

Ratliff.

Senator Astin offered the following amendment:

Amend substitute bill Section 1, page 5, line 9, after the word formed, by adding the following: "Said lien shall extend to all the property, real, personal and mixed, owned by the party erecting or building."

The amendment was read and lost.

Senator Meachum moved the previous question on the engrossment of the bill, which motion being duly seconded, was so ordered.

The bill was read second time and the Senate refused to order the same engrossed by the following vote:

Yeas—13.

Bryan.	McNealus.
Cofer.	Meachum.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Warren.
Mayfield.	

Nays—18.

Adams.	Perkins.
Astin.	Ratliff.
Carter.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, McLennan.
Kauffman.	Ward.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.

SENATE JOINT RESOLUTION
NO. 13.

(District No. 15, by Unanimous Consent.)

The Chair laid before the Senate on second reading

Senate Joint Resolution No. 13, Proposed amendment to the State Constitution, amending Article 5 of the Constitution relating to the Judicial Department of the State government by adopting in lieu thereof, the following:

Senate Joint Resolution to amend Article 5 of the State Constitution of the State of Texas in regard to the Judicial Department.

There being a favorable majority committee report and an adverse minority committee report,

On motion of Senator Meachum, the majority (favorable) committee report was adopted.

Senator Vaughan offered the following amendment, which was read and adopted.

Amend Senate Joint Resolution No. 13, by striking out of line 6, page 1, the word "proposed" and "proposing an."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out lines 9 and 10, page 1.

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No.

13 by inserting between lines 14 and 15, on page 1, the following: "Article 5."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from line 17, page 1, the misprinted word between the word "in" and the word "other," the word "such."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out the word "thirteen" in line 23, page 1, and inserting in lieu thereof the word "fourteen."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking from page 2, line 2, the word "the" between the word "of" and the words "Chief Justice," and by inserting between the "Chief Justice" and the word "of" in said line the words "or of Associate Justice."

(President Pro Tem. Hudspeth in the Chair.)

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from line 12, page 2, the word "fourteen" and inserting in lieu thereof the word "fifteen."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from page 2, line 6, the word "judges" where it first occurs in said line and inserting in lieu thereof the following: "Chief Justice and Associate Justices."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by inserting after the word "qualified" in line 11, page 2, the following: "The Chief Justice of the Supreme Court holding such office at the time of the adoption hereof shall be Chief Justice of the Supreme Court, created by the adoption hereof."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No.

13 by inserting after the word "State" in line 2, page 3, a comma instead of the period and by adding the following: "And may continue in session longer."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13, by striking from page 3, line 14, and wherever it occurs in Section 4, the word "Judges," and insert in lieu thereof the word "Justices."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from page 3, line 29, the words "for the writ" between the words "suing" and the word "shall."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking from page 4, line 18, the word "on," where it first occurs in said line, and insert in lieu thereof the word "or."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from page 4, line 16 the word "or" where it first occurs and insert in lieu thereof the word "and."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking from page 4, line 23, the word "Judges" and inserting in lieu thereof the word "Justices."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking from page 4, line 32, the parenthesis and the words "Section 7."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking from page 5, line 8, the word "authorized" and inserting in lieu thereof the words "his duty" and striking from said line the word "he" and inserting in lieu thereof the word "it."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by inserting on page 5, line 13, between the word "court" and the Article "A" preceding it, the word "District."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from page 5, line 15, the word "were" and inserting in lieu thereof the words "shall have been."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by inserting after the word "service" in line 10, page 6, the words "As a Judge."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out from page 6, line 22, the words "Judges" and inserting in lieu thereof the word "Justices."

Senator Warren offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13, line 4, page 2, by inserting after the word "officer" the following words "next ensuing."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 13 by striking out the words "Section 15" in parenthesis, line 26, page 9, and the words "Section 16" in parenthesis, line 13, page 10, and the words "Section 17" in parenthesis, line 27, page 10, and the words "Section 18," in parenthesis, line 6, page 11, and the words "Section 19," in parenthesis, line 5, page 12, and the words "Section 20," line 20, page 12, and the words "(Section 24)," line 28, page 14, and the words "(Section 25,)" line 2, page 15, and the words "Section 26)" line 7, page 15, and the words "(Section 27)," line 9, page 15, and the words "(Section 28)," line 16, page 15.

On motion of Senator Vaughan, the resolution, having received 25 votes, was ordered adopted, passed finally and proposed, and the clerk was directed to engross the resolution and transmit it to the House.

Following is the vote on the resolution:

Yeas—25.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Real.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	

Nays—3.

Hume.	Murray.
Lattimore.	

Absent.

Paulus.	Willacy.
Ratliff.	

Senator Vaughan moved to reconsider the vote by which the resolution was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 365.

(By Unanimous Consent.)

On motion of Senator Sturgeon, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—26.

Adams.	Murray.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
Meachum.	Weinert.

Present—Not Voting.

McNealus.

Absent.

Greer.	Ratliff.
Paulus.	Willacy.

On motion of Senator Sturgeon, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading Senate bill No. 365, an amendment to the city charter of the city of Paris, Texas.

Bill read second time, and ordered engrossed.

On motion of Senator Sturgeon, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Murray.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

Absent.

Greer.	Ratliff.
Hume.	Willacy.
Paulus.	

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	Murray.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	

Absent.

Greer.	Ratliff.
Paulus.	Willacy.

Senator Sturgeon moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 329.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 329, A bill to be entitled "An Act to amend Article 1097 of the Code of Criminal Procedure of the State of Texas."

Senator Watson offered the following amendment, which was read and adopted:

Amend House bill No. 329 by adding a new section to read as follows:

Sec. 3. The fact that the present law does not make adequate provision for payment for support and maintenance of prisoners confined in jail or under guard creates an emergency and an imperative public necessity requiring bills to be read on three several days in each House be suspended and the same is hereby suspended and that this Act take effect from and after its passage and it is so enacted.

Senator Watson offered the following amendment, which was read and adopted:

Amend the caption by adding at the end thereof the following: "and declaring an emergency."

Bill read second time and passed to third reading.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Kauffman.
Astin.	Lattimore.
Bryan.	Mayfield.
Carter.	McNealus.
Cofer.	Meachum.
Collins.	Murray.
Greer.	Peeler.
Hudspeth.	Perkins.
Hume.	Real.

Sturgeon. Ward.
Terrell, McLennan. Warren.
Terrell, Wise. Watson.
Townsend. Weinert.
Vaughan. Willacy.

Nays—1.

Johnson.

Absent.

Paulus. Ratliff.

The bill was read third time and passed by the following vote:

Yeas—29.

Adams. Murray.
Astin. Peeler.
Bryan. Perkins.
Carter. Real.
Cofer. Sturgeon.
Collins. Terrell, McLennan.
Greer. Terrell, Wise.
Hudspeth. Townsend.
Hume. Vaughan.
Johnson. Ward.
Kauffman. Warren.
Lattimore. Watson.
Mayfield. Weinert.
McNealus. Willacy.
Meachum.

Absent.

Paulus. Ratliff.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 366.

(By Unanimous Consent.)

On motion of Senator Terrell of McLennan, the constitutional rule requiring bills to be read on three several days was suspended, and Senate bill No. 366 put on its second reading by the following vote:

Yeas—27.

Adams. Hume.
Astin. Johnson.
Bryan. Kauffman.
Carter. Lattimore.
Cofer. McNealus.
Collins. Meachum.
Greer. Murray.
Hudspeth. Peeler.

Perkins. Vaughan.
Real. Ward.
Sturgeon. Warren.
Terrell, McLennan. Weinert.
Terrell, Wise. Willacy.
Townsend.

Absent.

Mayfield. Ratliff.
Paulus. Watson.

On motion of Senator Terrell of McLennan, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading Senate bill No. 366. An act amending the city charter of the city of Waco, Texas. (See bills and resolutions for caption.)

Bill read second time, and ordered engrossed.

On motion of Senator Terrell of McLennan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams. Meachum.
Astin. Murray.
Bryan. Peeler.
Carter. Perkins.
Cofer. Real.
Collins. Sturgeon.
Greer. Terrell, McLennan.
Hudspeth. Townsend.
Hume. Vaughan.
Johnson. Ward.
Kauffman. Warren.
Lattimore. Watson.
Mayfield. Weinert.
McNealus.

Absent.

Paulus. Terrell, Wise.
Ratliff. Willacy.

The bill was read third time and passed by the following vote:

Yeas—25.

Adams. Carter.
Astin. Cofer.
Bryan. Collins.

Greer.	Real.
Hudspeth.	Terrell, McLennan.
Johnson.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Watson.
Peeler.	Weinert.
Perkins.	

Absent.

Hume.	Ratliff.
Mayfield.	Sturgeon.
Paulus.	Willacy.

Senator Terrell of McLennan moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 434.

(District No. 16, by Unanimous Consent.)

On motion of Senator Hume, the Senate rule requiring committee reports to lie over one day was suspended, for the purpose of considering this bill. (See appendix for committee report.)

The Chair laid before the Senate, on second reading,

House bill No. 434, A bill to be entitled "An Act to amend subdivision 23, Article 5049, Chapter 1, Title 104 of the Revised Civil Statutes of the State of Texas, regulating the general occupation tax, as amended by an Act of the Twenty-fifth Legislature, said amendment being Chapter 18, of the Acts of the Special Session of the Twenty-fifth Legislature, convened at the city of Austin, May 22, 1897, and adjourned June 20, 1897, being shown at page 49, of the General Laws of the said Special Session."

Bill read second time, and passed to a third reading.

On motion of Senator Hume, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Cofer.
Astin.	Collins.
Bryan.	Greer.
Carter.	Hudspeth.

Hume.	Sturgeon.
Johnson.	Terrell, McLennan.
Kauffman.	Terrell, Wise.
Lattimore.	Townsend.
McNealus.	Vaughan.
Meachum.	Ward.
Murray.	Warren.
Peeler.	Watson.
Perkins.	Weinert.
Real.	

Absent.

Mayfield.	Ratliff.
Paulus.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—26.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.

Nays—1.

Townsend.

Absent.

Mayfield.	Ratliff.
Paulus.	Willacy.

Senator Hume moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 67.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 67, A bill to be entitled "An Act to require the inspection of air brakes and attachments and the testing of brakes on all trains operated on all lines of railroads in this State, by competent inspectors, and providing a penalty for the violation thereof."

Bill read second time and passed to a third reading.

On motion of Senator Ward, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Meachum.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.

Absent.

Mayfield.	Ratliff.
Murray.	Willacy.
Paulus.	

The bill was read third time and passed.

Senator Ward moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 353.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 353, A bill to be entitled "An Act to define and prevent the practice of hazing in the University of Texas, the Agricultural and Mechanical College, and the State Normal Schools, requiring male students entering such educational institutions upon matriculation to declare they will not engage in such practice of hazing and a declaration to be made under oath or affirmation by students before the issuance and delivery of certificates of proficiency or diplomas, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Cofer, the

constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.

Absent.

Mayfield.	Ratliff.
Murray.	Terrell, Wise.
Paulus.	Willacy.
Perkins.	

The bill was read third time and passed.

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 483.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 483, A bill to be entitled "An Act to amend Section 14 of Chapter 8 of the Special Laws of the Twenty-eighth Legislature, being an Act to create a more efficient road system for Eastland county, Texas, so as to provide that county commissioners may receive a greater compensation when acting as road commissioners."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Bryan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Bryan.
Astin.	Carter.

Cofer.	Peeler.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

Absent.

Mayfield.	Ratliff.
Murray.	Terrell, Wise.
Paulus.	Willacy.
Perkins.	

The bill was read third time and passed.

HOUSE BILL NO. 126.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 126, A bill to be entitled "An Act to amend Article 2939 of the Revised Statutes, and to provide that the twelfth day of October of each year shall be a State holiday, and shall be known as Columbus Day, and repealing Article 2939, as amended by Chapter 11 of the General Laws of the Twenty-ninth Legislature, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.

Absent.

Mayfield.	Paulus.
Murray.	Perkins.

Ratliff.	Willacy.
Terrell, Wise.	

The bill was read third time and passed.

Senator Real moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 169.

(District No. 17, by Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 169, A bill to be entitled "An Act conferring authority upon the Railroad Commission, and making it its duty to adopt all necessary rates, charges and regulations to govern and regulate wharf companies and terminal railroad companies; providing that all laws made and prescribed for the government and control of railroads shall, as far as applicable, be of equal force against such wharf and terminal companies, authorizing the Commission to require reports by such companies, and giving to said Commission power to correct abuses and prevent unjust discrimination and extortion in rates or charges of such companies; providing penalties for the violation of this Act, and declaring an emergency."

The bill was read, and

Senator Kauffman offered the following amendment, which was read and adopted:

Strike out all after the enacting clause and insert the following:

Section 1. Power and authority are hereby conferred upon the Railroad Commission of Texas over all public wharves, docks and piers, and all elevators, warehouses, sheds, tracks, and other property used in connection therewith in the State of Texas, and over all suburban, belt and terminal railroads in said State, and over all persons, associations and corporations, private or municipal, owning or operating any such railroad, wharf, dock, pier, elevator, warehouse, shed, track, or other property, and it is hereby made the duty of the said Railroad Commission to fix and adopt all necessary rates, charges and regulations, to govern and regulate said persons, associations and corporations, and to correct abuses and prevent unjust discriminations in the rates, charges and tolls of said per-

sons, associations and corporations, and to fix divisions of rates, charges and regulations, between same and railroads and all other common carriers, under the control of the Railroad Commission where a division is proper, and to correct and prevent any and all other abuses in the conduct of their business.

Sec. 2. If any person, association or corporation subject to the provisions of this Act shall demand or receive a greater compensation for any service rendered or to be rendered than that fixed and established by the said Railroad Commission, then, and in every such case, such person, association or corporation shall be deemed guilty of extortion and shall forfeit and pay to the State of Texas a sum not to exceed five hundred dollars for each offense; provided, that if it shall appear that such violation was not willful, said person, association or corporation shall have ten days to refund such overcharges or damages, in which case the penalty shall not be incurred; and the said Commission shall have authority and it shall be its duty to sue for and recover the same in the same manner as may be prescribed by law for like suits against railroad companies.

Sec. 3. If any person, association or corporation subject to the provisions of this Act shall by any special rate, rebate, drawback or other device, or in any manner directly or indirectly charge, demand, collect or receive from any other person, association or corporation a greater or less compensation for any service rendered, or to be rendered, by it than it charges, demands, collects or receives from any other person, association or corporation for doing a like and contemporaneous service, or if any such person, association or corporation shall make or give any undue or unreasonable preference or advantage to any other person, association or corporation, or to any locality, or shall subject any particular description of traffic to any undue or unreasonable prejudice, delay or disadvantage, then and in any such case, the person, association or corporation thus offending shall forfeit and pay to the State of Texas a sum not to exceed five hundred (\$500.00) dollars for each and every offense.

Sec. 4. Said Railroad Commission shall have the same power to make and prescribe rules and regulations

for the government and control of all such persons, associations and corporations as is or may be conferred upon said Commission for the regulation of railroad companies, and such persons, associations and corporations shall issue no stock or bonds, except such as are authorized by the Railroad Commission under the provisions of the Railroad Stock and Bond Law of this State.

Sec. 5. The said Railroad Commission shall have authority, and it shall be its duty, to call upon such persons, associations and corporations for reports, and to investigate their books in the same manner as is or may be prescribed by law for the regulation of railroad companies; and said Commission shall have power and authority to institute suits and sue out such writs and process as may be applicable and authorized for the regulation of railroad companies. All laws made and prescribed for the government and control of railroad companies, and the valuation of their properties, in so far as they are applicable, shall be of equal force and effect against all such persons, associations and corporations.

Sec. 6. If any such person, association or corporation, or other party at interest, be dissatisfied with any decision, rate, charge toll, rule, order, act or regulation adopted by the Commission, such dissatisfied person, association, corporation or party may file a petition setting forth the particular cause or causes of objection to such decision, rate, charge, toll, rule, order, act or regulation, or to either or all of them, in a court of competent jurisdiction in Travis county, Texas, against such Commission as defendant. Said action shall have precedence over all other causes on the docket of a different nature, and shall be tried and determined as other civil causes in said court. Either party to said action may appeal to the appellate court having jurisdiction of said cause, and said appeal shall be at once returnable to said appellate court, at either of its terms, and said action so appealed shall have precedence in said appellate court of all causes of a different character therein pending; provided, that if the court be in session at the time of such right of action accruing, the suit may be filed during such term and stand ready for trial after ten days' notice.

Sec. 7. The fact that there is now no adequate law for the regulation

of such persons, associations and corporations, and the urgent necessity for such a law creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

TERRELL of McLennan,
KAUFFMAN.

Senator Kauffman offered the following amendment, which was read and adopted:

Amend by striking out all after "An Act," in line 7, page 1, of the printed bill and insert the following:

"Conferring authority upon the Railroad Commission, and making it its duty to adopt all necessary rates, charges and regulations to govern and regulate persons, associations and corporations, private or municipal, owning or operating public wharves, docks or piers, and all property used in connection therewith, or suburban, belt or terminal railroads in Texas, and to fix divisions of rates, charges and regulations, between the same and railroads and all other common carriers under the control of the Railroad Commission where a division is proper; providing that all laws made and prescribed for the government and control of railroads shall, as far as applicable, be of equal force against such persons, associations and corporations; authorizing the Commission to require reports of such persons, associations, and corporations, and giving to said Commission power to correct abuses and prevent unjust discrimination and extortion in rates or charges, of such persons, associations and corporations or any abuse by same; providing penalties for the violation of this Act, and declaring an emergency."

TERRELL of McLennan,
KAUFFMAN.

Bill read second time, and ordered engrossed.

On motion of Senator Kauffman, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Bryan.
Astin.	Carter.

Cofer.
Collins.
Hudspeth.
Hume.
Johnson.
Kauffman.
McNealus.
Meachum.
Peeler.

Real.
Sturgeon.
Terrell, McLennan.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.

Nays—1.

Greer.

Absent.

Lattimore.
Mayfield.
Murray.
Paulus.

Perkins.
Ratliff.
Terrell, Wise.
Willacy.

The bill was read third time and passed by the following vote:

Yeas—23.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Hudspeth.
Hume.
Johnson.
Kauffman.
Lattimore.
McNealus.

Meachum.
Peeler.
Real.
Sturgeon.
Terrell, McLennan.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.

Absent.

Greer.
Mayfield.
Murray.
Paulus.

Perkins.
Ratliff.
Terrell, Wise.
Willacy.

Senator Kauffman moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 130.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

Senate bill No. 130, A bill to be entitled "An Act to amend Section 123 of Chapter 124 of the General Laws of Texas, as enacted by the Regular Session of the Twenty-ninth Legislature relating to making college and university diplomas have the force and effect of permanent State certificates, and the declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	

Absent.

Astin.	Perkins.
Mayfield.	Ratliff.
Murray.	Terrell, Wise.
Paulus.	Willacy.

The bill was read third time and passed.

HOUSE BILL NO. 343.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

House bill No. 343, A bill to be entitled "An Act to amend Article 1537, Chapter 2, Title 32, of the Revised Civil Statutes of the State of Texas, 1895, defining the term 'resident,' in reference to the power and duty of the commissioners court to provide for the support of paupers, and such idiots and lunatics as cannot be admitted into the lunatics asylum, residents of their county, who are unable to support themselves."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time and passed to a third reading.

On motion of Senator Ward, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Bryan.
--------	--------

Carter.	Peeler.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.
Meachum.	

Absent.

Astin.	Perkins.
Mayfield.	Ratliff.
Murray.	Terrell, Wise.
Paulus.	Willacy.

The bill was read third time and passed.

SENATE BILL NO. 342.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 342, A bill to be entitled "An Act to grant permission to Mrs. W. E. Collins, Samuel Collins, Viola Collins, Zeron Collins, Savanna Collins, Semon Collins, Hilton Collins, Vergie Collins, Drucilla Collins, heirs of W. E. Collins, deceased, to bring suit against the State of Texas to ascertain, fix and establish their claims against the State of Texas for the death of said W. E. Collins, and the personal injury to the said Samuel Collins, said death and injury aforesaid alleged to have occurred in Trinity county, Texas, on or about the ninth day of September, A. D. 1909, by being shot by State Rangers, who were then under the jurisdiction, control and employment of the State of Texas; fixing and establishing the measure of damages and liability on the part of said State, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Townsend, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Carter.
Bryan.	Cofer.

Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Peeler.	

Absent.

Astin.	Perkins.
Mayfield.	Ratliff.
Murray.	Terrell, Wise.
Paulus.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—22.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.

Absent.

Astin.	Perkins.
Kauffman.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

Senator Townsend moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION NO. 32.

(By Unanimous Consent.)

The Chair laid before the Senate House Concurrent Resolution No. 32, "Providing for the investigation and collection of certain claims of the State of Texas against the United States."

The committee report with (committee) amendments was adopted.

The concurrent resolution was adopted.

SENATE BILL NO. 265.

(District No. 19, by Unanimous Consent.)

The Chair laid before the Senate on second reading

Senate bill No. 265, A bill to be entitled "An Act authorizing the formation of corporations for the purpose of generating, manufacturing, transporting and selling gas, electric current and power in this State, and to make reasonable charges therefor; to construct, maintain and operate power plants and substations and such machinery, apparatus, pipes, poles, wires, devices and arrangements as may be necessary to operate such lines at and between different points in this State and to own, hold and use lands, rights of way, easements, franchises, buildings and structures necessary for the purpose, with the right to enter upon, condemn and appropriate lands, rights of way, easements and property of any person or corporation and erect lines over and across public roads, railroads, interurban and street railroads, canals or streams in this State, and streets and alleys of any incorporated city or town, with the consent and under the direction of the governing board of such city or town, all in the same manner as is provided by law in the case of railroads, pipe lines, telephone and telegraph lines; and providing for the manner of construction; also giving the right to borrow money, issue stock and preferred stock, to mortgage its franchises and property; to secure the payments of debts contracted for the purposes of the corporation; and, further, making it unlawful for such corporation to discriminate against any person, corporation, firm or association or place in the charges for such gas, electric current or power or the services rendered under similar and like circumstances."

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill by adding thereto Section 7 to read as follows:

Sec. 7. The fact that there is no adequate laws upon the statute books of Texas governing corporations in the class mentioned in the foregoing sections creates an imperative public necessity and emergency which requires the suspension of the constitutional rule requiring bills to be read

on three several days in each house, and said rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill by adding at the end of the caption the following: "and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Peeler.
Bryan.	Real.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
Meachum.	

Nays—1.

McNealus.

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

The bill was read third time and passed.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 550.

(By Unanimous Consent.)

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—22.

Adams.	Carter.
Bryan.	Cofer.

Collins.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, McLennan.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Peeler.	Weinert.

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

On motion of Senator Meachum, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading House bill No. 550, Independent school district law for Richards, Grimes county, Texas.

Bill read second time and passed to a third reading.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

The bill was read third time and passed by the following vote:

Yeas—22.	
Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 155.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 155, A bill to be entitled "An Act to erect memorials to commemorate the unselfish devotion to duty, exalted patriotism and heroic services of Texas soldiers during the war between the states; to provide and create a commission to carry out the provisions of this Act and to make an appropriation therefor, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Carter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Lattimore.
Bryan.	McNealus.
Carter.	Meachum.
Cofer.	Peeler.
Collins.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, McLennan.
Johnson.	Townsend.
Kauffman.	Vaughan.

Ward.
Warren.

Watson.
Weinert.

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

The bill was read third time and passed.

Senator Carter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 99.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 99, A bill to be entitled "An Act to prohibit and prevent adulteration, fraud and deception and misbranding in the manufacture and sale of articles of food and drugs, and to regulate the sale of concentrated commercial feeding stuffs and the materials from which they are manufactured; defining concentrated feeding stuffs, prohibiting their adulteration, providing for their correct weighing and marking, for the collection of samples, and providing that the inspection tax and penalties collected under this Act shall be used by the Dairy and Food Commissioner in the enforcement of this Act; prescribing penalties for the violation of this Act; providing for the appointment of a Dairy and Food Commissioner, and defining his powers and duties; also to provide for the appointment of inspectors, chemists and other assistants, and fixing the compensation of the Dairy and Food Commissioner, and the inspectors, chemists and other assistants, provided for by this Act, and to repeal all laws in conflict with the provisions of this Act, and declaring an emergency."

The committee report, recommending a substitute bill, was adopted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend caption by inserting in line 22 of caption the words "an

emergency appropriation" after word Act.

Bill read second time, and ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
McNealus.	Weinert.

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, Wise.
Murray.	Willacy.
Paulus.	

The bill was read third time and passed.

SENATE BILL NO. 269.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 269, A bill to be entitled "An Act to prohibit the introduction in evidence in any case, testimony divulging what shall have been testified to by any witness before a grand jury, except in criminal prosecutions for perjury in which such testimony given before such grand jury is made the basis of such charge of perjury."

The bill was read and

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill by adding after the word "forgery" in line 10, page 1, the following: "declaring an emergency."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill (No. 269) by adding after line 16, page 1, the following:

62—S.

Sec. 2. The crowded condition of the calendar and the near approach of the close of the present session of the Legislature, and the necessity for the change in the law made by the Act, creates an emergency and imperative public necessity that the constitutional rule requiring that bills be read on three several days be suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Bill read second time, and ordered engrossed.

On motion of Senator Vaughan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, McLennan.
Murray.	Terrell, Wise.
Paulus.	Willacy.

The bill was read third time and passed.

SENATE BILL NO. 294.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 294, A bill to be entitled "An Act to amend Chapter 4 of Title 45 of the Revised Civil Statutes of the State of Texas, as adopted at the Regular Session of the Twenty-fourth Legislature, by amending Article 2475 (2411) so that stationery, etc., shall be furnished to county tax collectors and to county tax assessors, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Warren, the constitutional rule requiring bills to

be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, McLennan.
Murray.	Terrell, Wise.
Paulus.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.	Meachum.
Bryan.	Peeler.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	

Absent.

Astin.	Perkins.
Greer.	Ratliff.
Mayfield.	Terrell, McLennan.
Murray.	Terrell, Wise.
Paulus.	Willacy.

Senator Warren moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILLS SIGNED.

The Chair, President Pro Tem. Hudspeth, gave notice of signing, and did sign in the presence of the Senate, after their captions had been read, the following bills:

Senate bill No. 177, A bill to be entitled "An Act to enable the people of the arid sections of the State to re-

ceive the benefits of the United States Reclamation Act, by declaring that water users' associations organized under the authority of such Act, and the regulations of the Department of the Interior of the United States, to be not subject to charter fees and franchise taxes, and declaring an emergency."

Senate bill No. 275, A bill to provide for the establishment and maintenance of a home for the indigent wives and widows of disabled Confederate soldiers and sailors who entered the Confederate service for Texas, or who came to Texas prior to January 1, 1880, and who are over sixty years of age, whose husband's disability is the proximate result of service in the Confederate Army for a period of at least three months, and also for women who aided in the Confederacy, to authorize the appointment of a Board of Managers for said home, and to prescribe their powers and duties, to make an appropriation for the purpose of establishing said home, and for its maintenance and support, and declaring an emergency."

Senate bill No. 15, A bill to be entitled "An Act to regulate the employment of children in factories, mills, mines, quarries, distilleries, breweries, manufacturing or other establishments using dangerous machinery, in manufactory of goods for immoral purposes, or when their health may be impaired or morals debased, or to send such child to any disorderly house, bawdy house or house of assignation, or to permit such child to go to any such house, and to provide penalties for violation of same, and declaring an emergency."

Senate bill No. 236, A bill to be entitled "An Act to create a more efficient road system for Wood county, Texas, and declaring an emergency."

Senate bill No. 131, A bill to be entitled "An Act to amend Chapter 80, Special Laws, passed by the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 15, 1907, and to amend Chapter 71 of the Special Laws passed by the Regular Session of the Thirty-first Legislature of the State of Texas, approved March 17, 1909, and to create a more efficient road law for Lee county, Texas, authorize and empower the said county to issue bonds or levy a tax for the construction of bridges and the construction and

maintenance of public roads and highways in said county and regulating the compensation of certain officers, providing for the working of convicts on county roads, relieving certain persons subject to road duty from such duty upon the payment of certain sums of money, providing for the number of days road hands are subject to duty and providing certain duties and powers of the commissioners courts of said county, and fixing the compensation of the members of said court for said service, providing for the collection of poll taxes due the county by labor upon public roads, providing for the condemnation of lands and property for public road use, providing for certain drainage ditches, pits, etc., and providing for the creation of road precincts and changes therein, and for the appointment of road overseers, and providing for the working of said public roads and providing that the commissioners shall be supervisors and instructors of said roads and for their salary therefor and providing for the prorating of all funds derived from road tax among the several commissioners precincts, and providing for the payment of officers' costs in cases where county convicts are worked upon the county roads and authorizing and empowering commissioners courts to contract with individuals for the construction and repair of bridges and culverts and for the purchase of all necessary teams, tools and road machinery deemed necessary, and declaring an emergency."

Senate Concurrent Resolution No. 5, providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission, making an appropriation to carry same into effect, and declaring an emergency.

Senate bill No. 68, A bill to be entitled "An Act to amend Section 129, Acts of the Twenty-ninth Legislature of Texas, relating to the scholastic age, and to amend Section 89, Chapter 124, of the Acts of the Twenty-ninth Legislature relating to the scholastic census, and declaring an emergency."

Senate bill No. 331, A bill to be entitled "An Act to grant a special charter to the city of Hillsboro, Hill county, Texas, repealing all laws or parts

of laws in conflict herewith, and declaring an emergency."

Senate bill No. 220, A bill to be entitled "An Act to amend the Act of the Thirty-first Legislature, passed at the Regular Session, being Chapter 23; and an Act of the Thirty-first Legislature, passed at its Regular Session, being Chapter 80, and entitled 'An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled An Act to promote agriculture and stock raising and to prohibit the hunting with firearms and dogs upon the enclosed lands of another in all counties within this State, not especially named as exempt from the provisions of this Act, as amended by the Twenty-sixth Legislature, and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature, to provide penalties and with an emergency clause relating to agriculture and stock raising, so as to place Atascosa, Caldwell, Coke, Coryell, Hamilton, Mills, San Saba and Walker counties under the operation of such law, and declaring an emergency."

Senate bill No. 43, A bill to be entitled "An Act to amend Section 10, of Chapter 23 of the General Laws of the First Called Session of the Thirtieth Legislature, so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived by extending until the first day of September, A. D. 1911, the time during which such corporations embraced within the terms of said Act may pay to the Secretary of State franchise taxes and penalties referred to in said Act, and have their rights to do business revived, and providing for forfeiture of the charters of such domestic corporations as may fail so to do; and declaring an emergency."

(Signed by Lieutenant Governor Davidson):

Senate bill No. 172, A bill to be entitled "An Act creating a more effective road system for Scurry county, Texas, and making county commissioners ex officio road commissioners of their respective precincts and prescribing their powers and duties as such; and providing for the compensation of such road commissioners; and

providing for the purchase of materials for the construction and maintenance of roads and bridges; and providing for the payment for such materials, and prescribing certain duties for road overseers; providing a compensation of two (\$2.00) dollars per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurers, providing that any person liable for road duty any year, shall be exempt upon the payment of three (\$3.00) dollars into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing that this Act is cumulative of the general laws and fixing penalty and declaring an emergency."

House bill No. 142. A bill to be entitled "An Act for the protection of stock raisers, farmers and horticulturists, providing for the destruction of wolves and other wild animals, to make an appropriation therefor, to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 199, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal School to be located in the city of Waco, in McLennan county, and to be known and designated as the Central Texas Normal School, and declaring an emergency."

House bill No. 38, A bill to be entitled "An Act to create the Seventy-first Judicial District of the State of Texas; to fix the time of holding the terms of district court in the counties composing said district; to provide for the appointment of a judge and district attorney in said district; to make all process issued or served before this Act goes into effect, including recognizances and bonds, returnable to the terms of the district court as herein fixed; to attach the unorganized counties of Cochran and Hockley to Lubbock county for judicial and all other purposes; to repeal all laws and parts of laws in conflict with this Act, and declaring an emergency."

ADJOURNMENT.

At 2 o'clock a. m., March 9, the Senate, on motion of Senator Hume, adjourned until 11 o'clock a. m., March 9.

APPENDIX.

COMMITTEE REPORTS.

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judiciary No. 1, to whom was referred House bill No. 74, have had same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass and be not printed, but printed in the Journal of today.

WARD, Chairman.

That part of the committee report, which provided that the bill be printed in the Journal was adopted.

H. B. No. 74.

A BILL To Be Entitled

An Act to provide for the removal of a married woman's disabilities of coverture, and to declare her feme sole for mercantile and trading purposes.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any married woman within this State may, with the consent of and joined by her husband, apply to the district court of the county in which she may be a bona fide resident for judgment or order of the said court removing her disabilities of coverture and declaring her feme sole for mercantile and trading purposes.

Sec. 2. Said application shall be in the form of a petition in writing, addressed to said court, setting out the cause or causes which make it desirable or advantageous to said married woman to be so declared a feme sole.

Sec. 3. Upon the filing of said petition same shall be docketed as in other cases, and at any time thereafter the district court may in term time take up and hear said petition and evidence in regard thereto.

Sec. 4. If upon a hearing of said petition, and evidence relating thereto, it should appear to the court that it would be to the interest and advantage of the said married woman so applying then said court shall enter its order or decree declaring said married woman feme sole.

for mercantile or trading purposes, and thereafter the said married woman may, in her own name, contract and be contracted with, sue and be sued, and all of her separate property not exempt from execution under the exemption laws of Texas, shall thereafter be subject to her debts and liable under execution therefor, and her contracts and obligations shall be as binding on her as if she were a feme sole. Provided, however, that no married woman shall convey or encumber her separate real property except as now provided by law.

(Floor Report.)

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred,

House bill No. 495, A bill to be enacted "An Act to authorize and permit the territory situated within the town of Crosbyton, in the county of Crosby, and the State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district, for free school purposes only, to be known as the Crosbyton Independent School District, with all the powers and rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only, and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

Perkins, Chairman; Real, Wise, Astin, Ratliff, Collins, Paulus, Sturgeon, Weinert, Warren, Watson.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House bill No. 434, A bill to be entitled "An Act to amend Subdivision No. 23, Article 5049, Chapter 1, Title 104 of the Revised Civil Statutes of the State of Texas, regulating the general occupation tax as amended by Act of the Twenty-fifth Legislature, said amendment being Chapter 18 of the Acts of the Special Session of the Twenty-fifth Legislature, convened at the city of Austin, May 22, 1897, and adjourned

June 20, 1897, being shown at page 49 of the General Laws of said Special Session."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred,

Senate bill No. 359, A bill to be entitled "An Act to encourage irrigation, mining, milling, manufacturing, the supplying of water to or the construction of water works for cities and towns and stock raising, and to provide for the acquisition of the right to collect, store, conserve, preserve, make fit for use, divert and use the water of any natural stream, canyon, ravine, depression, watershed, arroya, creek, arm of the Gulf of Mexico, or inlets thereof or any of the salty water bays, and authorizing the purchase, construction, maintenance and operation of bridges, dams, dikes, causeways, canals, ditches, flumes, storage and reservoirs, lakes, wells, feeders and laterals and authorizing the owning, holding, controlling and disposing of the water collected, stored, conserved, made fit for use or impounded, and to charge tolls for the use of same; authorizing the formation of corporations for said purposes; giving said corporations the right of eminent domain; authorizing the sale of the islands of the arms of the Gulf of Mexico or inlets thereof, and the salty water bays, and certain lands under and adjoining the shallow waters of the arms of the Gulf or inlets thereof and the salty water bays, and providing for the disposition of the funds arising from said sales, and declaring an emergency."

Have had same under consideration and I am instructed by the Committee to report same back to the Senate, with the recommendation that it do pass.

PAULUS, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Min-

ing and Irrigation, to whom was referred.

Senate bill No. 362, A bill to be entitled "An Act authorizing the purchase, construction, maintenance and operation of combination bridges, dams, dikes, causeways, and roadways in, over and across any natural stream, arm of the Gulf of Mexico, or inlet thereof, or any of the salt water bays wholly within the limits of the State of Texas, for the purpose of providing a causeway, roadway or highway for vehicles, teams, pedestrians, railroads, and for every other character of inland transportation; authorizing the formation of corporations for said purposes with the right to charge for the use of same; and giving the right of eminent domain; authorizing contracts with other corporations for the right of easement of user of portions of said structure and authorizing corporations contracting for right-of-way upon or use of said structure to issue and sell bonds therefor under regulations of the railroad commission; authorizing counties to purchase a county roadway across structure and to issue bonds for same on taxation, and declaring an emergency."

Have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAULUS, Chairman.

(Floor Report).

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporation, to whom was referred,

House Concurrent Resolution No. 38, to rescind the action of the House on House Concurrent Resolution No. 33, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Chairman; Hudspeth, Collins, Lattimore, Vaughan, Peeler, Terrell of McLennan, Kuaffman, McNealus, Perkins.

(Floor Report.)

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred,

Senate bill No. 364, A bill to be entitled 'An Act to create a more efficient road system for Camp county, Texas, and defining the powers and duties of the commissioners' court of said county relative to roads and bridges of said county, and making county commissioners of said county ex officio road commissioners of their respective precincts and prescribing their duties and compensation as road commissioners; and providing for the amount of compensation in road time to be allowed by overseers to the road hands for teams and road work; and providing conditionally for the employment of a consulting engineer; and providing for the laying out, opening, widening, draining, grading, constructing, building, repair, and maintenance of public roads of said county, and for the classification and abandonment thereof; and providing for the condemnation of lands and material for use in opening, constructing, repairing and maintaining such public roads; and authorizing said court to direct the opening up of and to open up drains along railways in said county, and directing the application of road and bridge fund of said county, and of proceeds of sale of bonds of said county issued for road and bridge purposes, and providing for the use, management and control of county convicts of said county; and providing for the letting of contracts and purchase of supplies in certain cases; and providing for the issuance and sale of bonds of said county, or any road districts thereof that may hereafter be created, for the purpose of building, constructing, improving, repairing and maintaining roads and bridges of a permanent nature; authorizing the commissioners' court of said Camp county to create road districts which may or may not include towns, villages or municipal corporations, or portions thereof, within such districts; to build, construct and maintain macadamized, graveled, paved and clay roads and streets; to issue bonds in payment therefor; to provide for the election for the voting of such bonds; the levying and collection of taxes for the purpose of their discharge and cancellation; and requiring the county treasurer of said county to keep a separate account of the sale of such bonds and limiting his duties in the disbursement thereof; and prescribing penalties and providing punishment for violation of this Act; and

providing for the application of fines for such violations, and for all moneys collected on contract under this Act to the road and bridge fund of said county, and declaring this Act cumulative of general and special laws, except in cases of conflict, when this Act shall control; and repealing all laws and parts of laws in conflict with this Act; and declaring an emergency."

Beg leave to report that we have had the same under consideration, and recommend that it do pass and not be printed.

Greer, Chairman; Paulus, Ratliff, Perkins.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred,

Senate bill No. 365, A bill to be entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Paris, and to grant it a new charter, to define its powers and to prescribe its duties and liabilities, and to declare an emergency,' which became a law on the fifteenth day of March, 1905, by amending Sections 46, 76, and 116, of said Act, and by adding to said Act, Sections 2a and 2b, and by repealing all laws and parts of laws in conflict with the added sections, and the amended sections as amended, and to declare an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

McNealus, Acting Chairman, Latimore, Collins, Peeler, Hudspeth, Terrell of McLennan, Perkins, Vaughan.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred,

House bill No. 44, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Deaf Smith and Palmer counties, and declaring an emergency,"

Have had the same under consideration and beg leave to report the

same back to the Senate with recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Kauffman, McNealus, Carter, Weinert, Peeler, Watson, Meacnum, Murray, Hume.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred, Senate bill No. 346, A bill to be entitled "An Act creating the Garland Independent School District in Dallas county, Texas, so as to include the territory situated within the bounds of the town of Garland in the county of Dallas and State of Texas, and other lands and territory adjacent thereto, providing for the election of a board of trustees to manage and control the public free schools within said district and for the continuance in office of certain trustees until said election; investing the said district with all the powers, rights and duties of independent school districts conferred by General Laws upon incorporations incorporated for free school purposes only, empowering the said district to take over all school money belonging to and all free school properties situated within said district, imposing upon it the discharge of the obligations of said territory for school purposes; prescribing limitations and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

PERKINS, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred,

Senate bill No. 363, A bill to be entitled "An Act to amend an Act entitled 'An Act to grant a new charter to the city of Dallas, Dallas county, Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, adopted by the Thirtieth Legislature of Texas, and approved April 13, 1907, by amending Section 2 of Article 1 thereof, Subdivision 5, of Section 2, of Article 2 thereof, Section 1, of Ar-

Article 10 thereof, Subdivision Q of Section 1, of Article 10 thereof, and by adding thereto Subdivision 'T' to Section 1, of Article 10; also amending Article 14, Section 2; also amending Article 2, by adding Section 9; also amending Article 5 and add thereto Section 8; also amending article 8, and Article 3, and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

M'NEALUS, Acting Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 355, A bill to be entitled "An Act to create a more efficient road system for Jack county, Texas, and making the county commissioners of said county ex officio road overseers," etc.,

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 361, A bill to be entitled "An Act to authorize the city of Austin to enter into certain contracts and to transfer or lease certain of its property, property rights and franchises, for the purpose of securing for said city the construction of a dam across the Colorado river at or near said city, in order to secure a more economical and satisfactory water, light and power system for the use of the people of said city, repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 283, A bill to be entitled "An Act to require persons, firms and corporations who have built or who may hereafter build any dam across any flowing river or natural stream in those portions of this State where by reason of insufficient or irregularity of rainfall, irrigation is beneficial for agriculture, to equip the same with an opening and gate so as to permit the ordinary flow of such river or stream to pass through such dam; defining the 'ordinary flow' of such streams, and providing a method for measuring the same; providing a rule of damages for failure to comply with this Act; authorizing the impounding of rain, surface and storm waters in the rivers, streams, creeks, canyons, arroyas, ravines, depressions and watersheds of this State for the purpose of irrigation, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 349, A bill to be entitled "An Act to amend Section 1. of Chapter 43, Special Laws of the Twenty-ninth Legislature, as amended by Chapter 68 of the Special Laws of the Thirtieth Legislature, same being an Act to create a more efficient road system for Robertson county, Texas, and providing for the levy of a special tax for road and bridge purposes, and for the proration and distribution of the money collected by virtue of such tax, and for the bonding of the valid outstanding registered indebtedness against the road and bridge fund of said county, and providing for the pay of the county commissioners of said county, when performing the duties imposed upon them as road commissioners, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared.

Senate bill No. 360, A bill to be entitled "An Act to amend Section 1 of Chapter 35 of the General Laws of the Twenty-fifth Legislature of the State of Texas, being entitled 'An Act to create a more efficient road system for Travis county, in the State of Texas, prescribing certain duties of road commissioner, relating to public roads of Travis county, and fixing salary of road commissioners,'".

And find the same correctly engrossed.

COFER, Chairman.

Committee Room.

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 314, A bill to be entitled "An Act to amend Article 3852, Chapter 2, of Title 86, of the Revised Statutes, so as to provide that all expenditures of the Board of Regents of the University of Texas may be made by order of the said Board of Regents, to be paid on warrants from the Comptroller on vouchers approved by the chairman of said Board or by some other officer or officers of the University of Texas designated by him in writing to the Comptroller, and to be countersigned by the secretary of said Board or some other officer or officers of the University designated by said secretary in writing to the Comptroller, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room.

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 267, A bill to be entitled "An Act to amend Chapter forty-two (42) of the Regular Session of the Twenty-ninth session of the Legislature of the State of Texas, entitled An Act to prohibit the granting or use for railway or other purposes of any part of the tract of land in the city of Gal-

veston, county of Galveston, Texas, acquired by that county, or of the county commissioners' court thereof, for seawall purposes, by adding thereto Section four (4), providing that after January first, nineteen hundred and twelve, the county of Galveston may lease or sell right of way, on bid after fifteen (15) days advertisement thereof, in the daily newspapers in the county of Galveston, for an electric or other passenger railroad, other than steam, over and along said seawall tract of land, said lease or sale of right of way to only become operative after submission to and approval of the taxpaying voters of said county voting at an election to be held, all expenses of election to be paid by the lessee or purchaser,"

And find the same correctly engrossed

COFER, Chairman.

Committee Room.

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 216, A bill to be entitled "An Act to appropriate and transfer the surplus remaining in the quarantine fee fund at Galveston Station to the Board of Regents of the University of Texas for the purpose of erecting, equipping and repairing such buildings as may be necessary to enable the John Sealy Hospital, as a part of the Medical Department of the University of Texas, to properly care for cases of contagious diseases, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room.

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 217, A bill to be entitled "An Act to ratify and confirm an ordinance passed by the Board of city commissioners of the city of Galveston on the 19th day of January, 1911, vacating that portion of 8th Street, between Avenues A and B in the city of Galveston, to be used for hospital purposes as a part of the

John Sealy Hospital, and closing that portion of 8th Street as a public street, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 211, A bill to be entitled "An Act to amend Article 2510 of Chapter 175 of the Acts of the Regular Session of the Twenty-sixth Legislature of Texas, providing that the Game, Fish and Oyster Commissioner shall have his office in Austin, Texas, during the term of his office, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 7, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 331, "An Act to grant a special charter to the city of Hillsboro, Hill county, Texas, repealing all laws, or parts of laws in conflict herewith, and declaring an emergency."

And find it correctly enrolled, and have this day, at 6 o'clock p.m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 7, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 230, "An Act to authorize the sale of a portion of Harbor Island and other islands in Red Fish Bay, Corpus Christi Bay and Aransas Bay, and certain lands under the shallow waters of Red Fish Bay, Corpus Christi Bay and Aransas Bay; to authorize the building of railroads, terminal railroads or interurban railroads from any point on the mainland to Aransas Harbor and

to provide for the purchase by any such railroads of certain lands on Harbor Island; to define the rights of channel and dock companies which have heretofore or may hereafter dredge channels from the mainland to Aransas Harbor; to authorize the dredging of slips, the erection of docks, piers, dry docks, ship yards, sheds, railroad tracks, approaches, terminals, sidings, depots, warehouses and all necessary appurtenances thereto, and to provide for the disposition of the funds arising from such sales, and declaring an emergency."

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 275, A bill to be entitled "An Act to provide for the establishment and maintenance of a home for the indigent wives and widows of disabled Confederate soldiers and sailors who entered the Confederate service from Texas, or who came to Texas prior to January 1, 1880, and who are over sixty years of age, whose husband's disability is the proximate result of service in the Confederate army for a period of at least three months, and also for women who aided the Confederacy; to authorize the appointment of a board of managers for said home, and to prescribe their powers and duties; to make an appropriation for the purpose of establishing said home, and for its maintenance and support, and declaring an emergency."

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 131, to amend Chapter 86, Laws of the Thirtieth Legis-

lature, and to provide a road system for Lee county, Texas.

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill Number 236, a road system for Wood county, Texas,

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 177, A bill to be entitled "An Act to enable the people of the arid sections of the State to receive the benefits of the United States Reclamation Act, by declaring that water-users' associations, organized under the authority of such Act, and the regulations of the Department of the Interior of the United States, to be not subject to charter fees and franchise taxes, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 5, "Providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission, making an appropriation to carry

same into effect, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 15, a bill to be entitled "An Act to regulate the employment of children in mills, factories, workshops, mercantile, mechanical or manufacturing establishments, stores, business offices, telegraphic offices, restaurants, hotels, apartment houses, mines, quarries, distilleries, breweries, and any establishment using machinery, and in the distribution or transmission of merchandise or messages, and to provide penalties for the violation of the same,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 199, to provide for a State Normal School to be located at Waco, in McLennan county, Texas,

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 172, creating a road system for Scurry county, Texas,

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 220, A bill to be entitled "An Act to amend an Act of the Thirty-first Legislature, passed at the Regular Session, being Chapter 23, and an Act of the Thirty-first Legislature at its Regular Session, being Chapter 80, and entitled An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled 'An Act to promote agriculture and stock raising and to prohibit the hunting with firearms and dogs upon the enclosed lands of another in all counties within this State, not specifically named as exempt from the provisions of this Act,' as amended by the Twenty-sixth Legislature, and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature, to provide penalties and with an emergency clause relating to agriculture and stock raising," so as to place Atascosa, Caldwell, Coke, Coryell, Hamilton, Mills, San Saba and Walker counties under the operation of such law, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 43, "An Act to amend Section 10, of Chapter 23, of the General Laws of the First Called Session of the Thirtieth Legislature, so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived by extending until the first day of September, 1911, the time during which such corporations embraced within the terms of said Act may pay to the Secretary of State franchise taxes and penalties referred to in said Act, and have their

rights to do business revived, and providing for forfeiture of the charters of such domestic corporations as may fail so to do, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,
Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 68, "An Act to amend Section 129, Acts of the Twenty-ninth Legislature of Texas, relating to the scholastic age, and to amend Section 89, Chapter 124, of the Acts of the Twenty-ninth Legislature relating to the scholastic census, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

House bill No. 573, A bill to be entitled "An Act to incorporate the Mineola independent school district in Wood county, Texas, for free school purposes only, defining its boundaries, and providing for a board of trustees; divesting the city of Mineola of the control of the public schools, and title to school property, and vesting the same in Mineola independent school district and its board of trustees; prescribing the rights, powers, privileges and duties of the said Mineola independent school district, and its board of trustees, and declaring an emergency,"

Beg leave to report that we have had same under consideration, and recommend that it do pass, and be not printed.

Perkins, Chairman; Warren, Wehnert, Sturgeon, Paulus, Ratliff, Collins, Hume, Watson.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

House bill No. 575, A bill to be entitled "An Act creating the Gause Independent school district in Milam county, Texas, defining its metes and bounds, vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Perkins, Chairman; Sturgeon, Paulus, Real, Ratliff, Astin, Collins, Warren, Weinert, Hume, Watson.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred,

House bill No. 570, A bill to be entitled "An Act creating the Lagrange Independent school district in Fayette county, Texas, defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district, divesting the city of Lagrange of the control of its public free schools and the title of all property now held for public free school purposes; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Paulus, Ratliff, Astin, Real, Watson, Ward, Collins, Sturgeon, Warren, Weinert, Hume.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred,

House bill No. 585, A bill to be entitled "An Act creating the Briggs Independent School District in Burnet county, Texas, defining its metes and bounds, providing for a board of trustees thereof, vesting it with the rights and duties of districts incorporated for school purposes only, under the General Laws, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

Perkins, Chairman; Collins, Ward, Ratliff, Astin, Watson, Real, Hume, Paulus, Sturgeon, Weinert, Warren.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

House bill No. 550, A bill to be entitled "An Act creating the Richards Independent School District in Grimes county, Texas, defining its metes and bounds, providing for a board of trustees thereof, vesting it with the rights and duties of districts incorporated for school purposes only under the General Law, and declaring an emergency,"

Beg leave to report that we have had same under consideration, and recommend that it do pass, and be not printed.

Perkins, Chairman; Watson, Hume, Ratliff, Astin, Paulus, Collins, Sturgeon, Warren.

(Floor Report.)

Austin, Texas, March 8, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred,

House bill No. 546, A bill to be entitled "An Act to amend Chapter 55, Sections 2, 13 and 16 of the Acts of the Twenty-ninth Legislature, creating a more efficient road system for San Saba county, Texas, increasing compensation for teams and drivers, for road hands and for road commissioners, and declaring an emergency,"

Beg leave to report that we have had same under consideration, and recommend that it do pass, and be not printed.

Greer, Chairman; Ratliff, Perkins, Paulus, Weinert.

(Floor Report.)

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred,

House bill No. 572, A bill to be entitled "An Act to validate and confirm the acts of incorporation of the town of Kosse, in Limestone county, Texas, its boundaries, all ordinances enacted and acts done by the town council thereof, and in accordance with the provisions of Chapter 11, Title 18, of the Revised Statutes of the State of Texas, and all acts amendatory thereof; to declare that this Act shall be admitted as evidence in all courts as proof of the fact and legality of such incorporation, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Chairman; Hudspeth, Terrell of McLennan, Peeler, Kauffman, McNealus, Collins, Lattimore, Vaughan, Perkins, Hume.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred,

House bill No. 560, A bill to be entitled "An Act to authorize the board of commissioners of the city of Galveston to create and establish a pension fund for certain firemen in the city of Galveston, and their widows and dependent children under the age of fourteen years, and to authorize said board to pass such ordinances it may deem necessary and proper for that purpose; to appoint a board of trustees to manage and distribute said funds and to adopt such rules and regulations as may be proper for that purpose."

Have had the same under consideration and I am instructed to report it back to the Senate with the recom-

mendation that it do pass, and be not printed.

Meachum, Chairman; Kauffman, Vaughan, Hudspeth, Hume, Peeler, McNealus, Perkins.

Committee Report,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred,

Senate bill No. 366, A bill to be entitled "An Act to amend Section 4 of an Act entitled 'An Act to incorporate the city of Waco and to define its boundaries and powers,' passed by the Twenty-first Legislature and approved February 19, 1889. Said Section 4 having been amended by Section 1 of an Act passed by the Twenty-fifth Legislature, Chapter 3, page 7, Special Laws of Texas, 1897, and by Section 7, page 219, Chapter 25, Special Laws of Texas, 1905, and said Section 4 having been further amended by Section 1 of Chapter 3, Special Laws of Texas, 1909, page 45, which said Section 4 of said act of 1889 as amended is here now amended by further fixing the salaries and duties and method of removal of the various officers therein enumerated, and generally prescribing their duties and powers, and regulating the question of municipal officers, providing their tenure of office, continuing the present city government, creating another office; repealing certain portions of said Section 4 with reference to the removal of officers, and passing of certain ordinances, and adding thereto clause giving the board of commissioners certain powers with reference to surface drainage, auditing books and accounts of the city of Waco, penalties on delinquent taxes, and other general powers, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Meachum, chairman; Kauffman, Hudspeth, Peeler, Perkins, Hume, McNealus, Vaughan, Lattimore, Collins.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared,

Senate bill No. 237, A bill to be entitled "An Act to amend Section 6 of Chapter 164, General Laws of the State of Texas, passed by the Regular Session of the Twenty-ninth Legislature and approved May 1, 1905, as amended by Senate bill No. 61, passed by the Regular Session of the Thirty-Second Legislature of the State of Texas and approved February 2, 1911, relating to a system of State, county and city depositories for State, county and city funds; and defining the duties of the State Treasurer as to the acceptance of county, municipal and independent school district bonds as collateral security for deposits made with such depositories; repealing all laws in conflict therewith, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of the fish and oysters within tide water limits along the gulf coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells that may be in or upon the bottoms of any lake, bay and shallow water; and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays and the shells, sand and marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from the sale of said shells, marl and sand shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere, and in locat-

ing oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 8, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 356, A bill to be entitled "An Act to create a more efficient road system for Hardin county, Texas, and making county commissioners of said county ex officio road commissioners, etc.

And find the same correctly engrossed.

COFER, Chairman.

FORTIETH DAY.

Senate Chamber,

Austin, Texas,

Thursday, March 9, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Prayer by General Gano of Dallas.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.